"Bureau" Memorandum

Wisconsin Department of Public Instruction / Barbara Thompson, Ph.D., State Superintendent
VOLUME 18, NUMBER 1, FALL 1976

DIVISION FOR HANDICAPPED CHILDREN

Philip R. Jones, Ed.D., Administrator and Assistant Superintendent
Kenneth R. Blessing, Ph.D., Director, Bureau for Exceptional Children
Horace K. Tenney, III, M.D., Director, Bureau for Crippled Children

Editor - Kenneth McMahon
Associate Editor - Patricia McMahan

Guest Editor—Vernon Smith is the speech and language supervisor for the Division for Handicapped Children. Three articles in this issue concentrate on screening models, communicative skills in the preschool child, and the effectiveness of language therapy on psycholinguistic skills. Another article deals with the continuing progress on Chapter 115 implementation by the Division for Handicapped Children and local school districts.

Guidelines for Authors

The *Bureau Memorandum* invites manuscripts directed to the common interests of special education personnel in schools. Especially welcome is stimulating writing dealing with (1) discussions of current professional and special education related materials; (2) descriptions of new techniques of innovative practices and programs; (3) research reports of interest and significance to readers. Dialogues, poems, and brief descriptions of new practices and programs will also be considered.

Manuscript Preparation

Manuscripts to be considered for publication in any issue of the *Bureau Memorandum* should:

- be submitted in duplicate (original and one clear copy)
- be typewritten (pica style), double spaced. All references, footnotes, and direct quotations should be checked carefully for accuracy.
- be accompanied by a complete identification of all authors. Include title and position, present location, and mailing address of each author.
- if appropriate, include black and white photos that have good light and dark contrast and that are at least 3" x 5."
- manuscripts should average about 1,500 words—approximately six double-spaced typewritten pages.

Manuscript Submission

- send manuscripts to Kenneth McMahon, Editor, *Bureau Memorandum*, Division for Handicapped Children, 126 Langdon Street, Madison, Wisconsin 53702.
- acknowledgement of receipt of a manuscript and notification concerning its disposition will be sent to the main author within 6 weeks of arrival. Additional time will elapse between acceptance of the article and its appearance in print.

The *Bureau Memorandum* is abstracted and indexed in the *Current Index to Journals in Education.*

The *Bureau Memorandum* is published by the Wisconsin Department of Public Instruction, Division for Handicapped Children, 126 Langdon Street, Madison, Wisconsin 53702. It is issued four times a year to special education teachers and administrators, nurses working directly with the Bureau for Crippled Children, and trainers of special education teachers.

TABLE OF CONTENTS

Vol 18, No. 1

Fall 1976

A Comparison of Screening Models Under Chapter 115
Vicki Larson, Ph.D. 2

Program Narrative Plans for Chapter 115 4

Developing Communicative Skills in the Preschool Child
Vicki Larson, Ph.D. 5

The Effectiveness of Language Therapy on Psycholinguistic Skills
Barbara Birmingham 7

Federal Programs — Impact — The Transitional Preparation Period
John H. Stadtmueller 9

Principals Favor Mainstreaming if it's Not Disruptive 10

Federal Programs — Title VI-D (EHA) Program for 1976-77: Revisions, Revisions, Revisions
Dick Trotta 11

Profile 13

Teaching the Exceptional Child to be Aired Second Semester 13

Supplemental Report No. 2 to the Federal District Court for the Eastern District of Wisconsin on Continuing Implementation of Subchapter IV of Chapter 115 — Continuing Progress Report on Chapter 115 Implementation (Third Year Progress Report)
Kenneth R. Blessing, Ph.D. 14

Indiana University Appoints Coordinator for the Handicapped 24

Work Production Pilot Study
James L. Swanson 25

Legal Opinion on Enrollment Ranges vs. Contracts
Max C. Ashwill 27

New ED and LD Supervisors Join DHC 27

Transportation of Nonpublic School Children
Bronson C. La Follette 28

A Comparison of Screening Models Under Chapter 115

By Vicki Larson, Ph.D.
Assistant Professor
University of Wisconsin-Eau Claire

Until recently, the Wisconsin public school speech and language clinician has been faced with two major decisions to reach in regard to screening: (1) Which children should receive screening procedures? and (2) What screening procedures should be used? Chapter 115 has resolved the first of these issues for the speech and language clinician. The law specifies that all students who enter a school district for the first time shall be screened. This would include all preschool children and any child who is new to the local school district, regardless of that child's age or grade level. According to Chapter 115, there is one entire age group of children who consistently will need to be screened—the preschool children who are in thelocal school district. The purpose of this article is to discuss what screening model would be most appropriate in screening preschool children and to contrast its appropriateness with that of other possible models.

Prior to a discussion of preschool screening models, it is important that screening be defined. "Screening" appears to range in meaning from a short routine procedure used to identify children with problems to a procedure resembling mass diagnosis that requires hours of accumulating specific data for each child. In this article, "screening" refers to the use of a systematic procedure to identify provisionally those children who manifest or are likely to manifest an attribute which is judged to require special attention because of probable exceptional educational need (EEN).

According to Hill (1970), a complete screening program involves at least three elements: (1) a goal—which, in general, should answer a question about what we are looking for in our screening; (2) a screening procedure—a specific test or technique; and (3) a criterion—a standard against which the effectiveness of the procedure can be evaluated. Hill continues:

> "Not all screening programs are complete as completeness has been defined here. Indeed, explicit goal statements frequently are absent from reports of screening programs and it is difficult to judge from such reports precisely what kinds of children are expected to be screened out by the technique that is proposed or in use. In addition, the validity of particular screening techniques frequently is not established for the specific setting in which they are being used. The most common practice is to begin with an instrument, assume that the goal is clear, and hope that some criterion may be found that will help to evaluate effectiveness."

It would be helpful to analyze various possible screening models before a decision is reached on an appropriate preschool screening protocol for use in public schools under the guidelines of Chapter 115. The term "model" is not intended to mean something that should be copied or adhered to faithfully. Rather, it refers to a format or scheme against which past or current screening programs may be compared in the interest of better understanding. This paper will analyze five screening models, comparing their goals, their techniques or procedures, and their validation criteria as applicable for screening communication problems. Hill (1970) discusses various models and their application to screening in general.

The Medical Model

Past or existing screening programs that attempt mass diagnosis often have followed a medical model. The goal of a medical model is early identification of children with disorders, specifying an etiological diagnosis, and leading to a labeling of children. The screening instrument is frequently a checklist administered to parents or teachers. Usually the checklist contains an itemization of symptomatic behaviors and the procedure tends itself to etiological diagnosis. The criterion against which the reported behaviors are evaluated is often the opinion of a professional person such as a physician.

There are many limitations of the medical model when it is applied in preschool screening:

1. It is totally inappropriate and irrelevant as a screening approach under the guidelines of Chapter 115 which requires that screening must identify children with EEN who may warrant further evaluation.

2. Under such a model, it is assumed that a diagnosis resulting in a label is advantageous in establishing a plan for remediation. That assumption is frequently erroneous.

3. This model may lead to identification of children manifesting certain disorders. However, it frequently fails to identify children with delayed communication development.

4. Additional limitations to the application of the medical model to preschool screening are discussed by Schoenwetter (1976).

The Crisis Model

The crisis model is used in many instances when the speech and language clinician does not have time to consider carefully the three crucial elements of a complete screening protocol (goals, procedures, criteria) and is in a panic about what to do immediately about preschool screening.

The goal for a screening process operating under the crisis model is often not stated since the clinician is in a hurry. If a goal is stated, it usually is in such broad terms as to be meaningless. Within the crisis model, the choice of a screening instrument often seems to be determined by the "law of availability." Whatever is available at the moment is used, especially if the title of the instrument coincides with the behaviors of concern to the clinician. For example, the Northwest Syntax Screening Test (1969) may be used to assess comprehension and production of syntax without sufficient thought about whether that test will provide the needed information about a given child in a specific geographical and academic setting. A criterion is usually not established in advance under the crisis model since the clinician is rushed. Either the clinician hopes to establish criteria after the screening is finished or the clinician may employ existing norms for the instrument administered giving little thought to appropriateness of the norms for the children tested.

The limitations of such a model, mentioned briefly in the previous discussion, would include:

1. Lack of a clearly-stated, specific goal for the screening program.

2. The available screening instruments may not be appropriate for screening children in a given geographical and academic setting.

3. The criterion is usually based on existing test norms that may be inappropriate to the population under consideration—or no criterion is established until the screening process is completed.

The Developmental Model

The goal of the developmental model is the early identification of children with developmental delays. The delays are determined by comparing the behavior of a child with the expected communicative behavior patterns for a child of the same age.

Under the developmental model, the screening instrument may vary widely from checklists based on available literature on developmental behaviors to using portions of existing standardized tests that are reported to measure the developmental behaviors under consideration. Whatever form the screening instrument might have, ultimately it should yield information that can be compared with developmental norms. The criterion against which the results from the screening instrument are validated within this model is dependent upon the nature of the instrument selected. The validation criterion may be normative data available on the chosen test or the normal developmental data available in the literature.

One of the limitations of this developmental model may be the developmental information that is used and the manner in which such information is employed. If the developmental data being used are outdated or based upon weak theoretical assumptions, children may be incorrectly identified as having problems or may not be identified by the screening procedure as possessing problems that they actually have. This model is limited by what is currently known about normal communication development; much remains to be learned about this topic.

Another limitation of the developmental screening model may exist in the selected items for the screening instrument and the manner in which those items are selected. A number of screening instruments currently being used by Wisconsin public school speech and language clinicians have been derived by compiling test items from existing standardized evaluation instruments; the Illinois Test of Psycholinguistic Abilities (McCarthy, Kirk, and Kirk, 1968), the Preschool Language Scale (Zimmerman, Steiner, and Evatt, 1969), the Boehm Test of Basic Concepts (Boehm, 1970), etc. Items selected varied widely from one clinician to another and were often few in number in sampling a given area of constructed behavior. It appears doubtful that these clinician instruments possess adequate validity and reliability for purposes of measuring what a child can and cannot do in the communication realm. The obtained picture of the child's communicative skills seems to be fragmented with this approach. One of the most crucial weaknesses of these currently-employed, developmentally-oriented screening instruments is that usually the longest utterance a child is required to produce is three words—such a screening procedure would frequently fail to identify children with expressive communicative disorders.

The Match-Mismatch Model

The goal of the match-mismatch model in screening is to detect those behaviors of a child that may fail to match the expectations of significant adults in the child's environment; for example, teachers and parents.

The screening instrument items for the match-mismatch model must be derived by assessing the child's environment and by determining the expectations for that child. In addition to screening the child, this model demands screening the child's environment. The behavioral expectations of the parents and teachers thus serve as the validating criterion for this model. Those who have attempted to implement the match-mismatch model have reported that a great deal of time and preparation must be spent in establishing criterion effectiveness by interviewing parents and teachers. Also, the expectations of parents and teachers vary substantially from individual to individual. At times, expectations appear to be unrealistic. If this should occur, there may be a need for additional parent and teacher consultation, inservice programming, and further investigation.

Proposed Model

None of the four models described previously appear to be entirely adequate individually for reasons that have been described. However, by combining some of the attributes of the developmental and match-mismatch models and keeping in mind the three elements that Hill (1970) regarded as crucial in a complete screening protocol, it may be possible to arrive at a satisfactory model.

The goal of preschool screening is to *identify* those children who warrant further evaluation of their communicative behaviors because of a probable exceptional educational need (EEN).

The specific screening instrument items would be derived from (1) the currently available data for the given age group in regard to cognitive and speech and language development as well as (2) the parents and academic teachers' expectations for that group. The specific procedures used to obtain information on the child's ability to comprehend and produce language would involve the clinician's deriving methods of elicitation that would be employed in a free play situation. A checklist and rating scale of a plus-minus type could be used for observing and recording communicative behaviors.

The criteria for validation under the proposed model are based upon what is known about normal communicative development and upon teacher and parent expectations for the children. Results from this screening procedure would be compared to opinions from teachers, parents, and multidisciplinary teams.

This model requires that the clinician interact with children in a free play situation rather than gathering information by formal administration of selected test items since the latter approach often results in a fragmented view of a child's communicative abilities. The model requires that a clinician be adept in using various methods of elicitation in a free play situation. The free play situation should permit the child to display communicative skills in a relatively spontaneous fashion. What is actually observed, elicited, and recorded will depend upon the criteria developed by the clinician from normal developmental data and teacher expectations. This model requires screening of the child which occurs only after the expectations of the child's future academic and current social settings have been determined. Among the fringe benefits of this approach would be that it would help the clinician to determine the need for inservice training and should facilitate cooperation among parents, teachers, and clinicians.

References

1. Boehm, A. 1970. Boehm Test of Basic Concepts. The Psychological Corporation, New York, New York.
2. Hill, J. 1970. Models for Screening. Paper presented at the annual meeting of the American Educational Research Association, Minneapolis, Minn.
3. Lee, L. 1969. Northwestern Syntax Screening Test. Northwestern University, Evanston, Illinois.
4. McCarthy, J., S. Kirk, and W. Kirk. 1968. Illinois Test of Psycholinguistic Abilities, Revised Edition. University of Illinois Press, Urbana, Illinois.
5. Schoenwetter, C. D. 1976. A Pediatrician Looks at Preschool Screening. Bureau Memorandum, 17 (2, Special Edition): 3-4.
6. Zimmerman, I., V. Steiner, and R. Evatt. 1969. Preschool Language Scale. Charles E. Merrill-Publishing Company, Columbus, Ohio.

Program Narrative Plans for Chapter 115

At the close of the 1975-76 school year, school districts were involved in development of Program Narrative Plans depicting their school board philosophy and objectives and the progress achieved in implementing the goals of Subchapter IV, Chapter 115, Wis. Stats. Districts also described each special program area in operation in 1975-76 and any plans for program expansion in the current school year.

Staff in the Division for Handicapped Children (DHC) are currently reviewing these Program Narrative Plans using a consistent evaluation format. School districts will be advised if the Program Narrative elements meet criterion, need clarification or modification, or if program data are lacking. The DHC is seeking to complete this review process by the end of the first semester. School districts seeking assistance in Program Narrative modification or clarification should consult program supervisors in the DHC.

School districts are also advised that an agreement has been reached with the program auditors for the 13 Standards regarding a school district's compliance with standard f. Standard f is one of the 13 standards and reads as follows:

> A school district "shall operate, or be part of a cooperative, or otherwise make provision for special education programs for handicapped students as identified in s. 115.76 (1).
>
> The administrative rule or the criteria for this particular standard is as follows:
>
> (f) Each school district shall operate or be part of a cooperative or otherwise make provision for education programs for children with exceptional needs as stipulated in Chapter 89, Laws of 1973, pursuant to the administrative rules developed by the Department."

When the Program Narrative Plans are acknowledged and approved in writing to the local district by the DHC, notification of this acknowledgement and approval will be sent to Dr. Wayne Stamm, Supervisor-Program Evaluation Accreditation. This approval will be recognized as a district's compliance with standard f.

Districts should make certain that their Narrative Plans cover all criterion elements in the review form and that any modified plan is dated. The DHC plans to further utilize the Narrative Plan under the regulations of PL 94-142 to assure the Office of Education that each district is in full compliance with PL 94-142 mandates.

Developing Communicative Skills in the Preschool Child

By Vicki Larson, Ph.D.
Assistant Professor
University of Wisconsin-Eau Claire

Early childhood education programs now have a top priority in Wisconsin somewhat because of Chapter 115. This law mandates appropriate educational programs for children from 3 through 21 years of age (Melcher, 1976). A major goal and desire of parents, speech and language clinicians, and special and regular educators within early childhood education programs is to develop communicative skills in the preschool child with a language disorder. There is a vast amount of literature describing speech and language programs for children (Miller and Yoder, 1972 and 1974). Most speech and language programs have demonstrated the efficacy of early intervention.

Two questions that might be asked by a clinician when reviewing these existing programs and/or establishing a new program for a preschool child with a communicative disorder are: (1) What communicative behaviors should be taught to the child and in what sequence? and (2) How should we teach what should be taught?

The purpose of this paper is to focus in on aspects of these two questions—what to teach and how to teach functional communicative skills to the preschool language disordered child.

In regard to the first question of what to teach and in what sequence, Miller and Yoder (1974) stated that the program content and sequence should be based upon what we know about normal cognitive and language development. This statement suggests a new question in regard to what we know about normal cognitive and language development. Recent data appear to be reflecting some changing ideas regarding the events that occur during the language acquisition process. In order for language to be acquired by the young child, three factors appear to be necessary according to Bloom (1970): cognitive development, nonlinguistic experiences, and linguistic experiences. Also, Bloom's (1970) research illustrates a changing perspective of the acquisition process. In the past, the language acquisition process has been viewed mainly as being based on syntactic features. Now, it is being viewed mainly as being based upon semantic features.

Clinicians who attempt to develop and implement early childhood language programs must be familiar with the literature in the areas of normal cognitive and normal speech and language development. By reviewing the research of Piaget (1955, 1967) or interpretations of his works by various authors (Ginsburg and Opper, 1969), the clinician can obtain a better understanding of cognitive development in young children. By reviewing the research of Bloom (1970), Brown (1973), Brown, Cazden, and Bellugi (1969), and Moorehead and Ingram (1973), the clinician can acquire information about the syntactical and semantic development of normal children in the five stages of linguistic development.

Knowledge of normal cognitive and normal speech and language development can then serve the speech and language clinician as a basis for what to teach the language disordered child and in what sequence. Since there is a great deal yet to be known about the normal child's acquisition process, information will continue to accumulate as research is done to increase understanding of the acquisition process. It is crucial that our language programs strive to accomodate this new information as it emerges.

Time for talking; time for playing; time for learning.

The primary goal of language development programs should be to increase functional communicative skills. "Functional communicative skills" refers to communicative behaviors that are meaningful and useful to the child and that allow the child to convey the most basic needs, wants, and feelings to a listener within those situations in which the child is likely to find himself.

Thus, the specific words or word combinations to be taught to children cannot be listed since these items will vary from child to child. In order to determine which words or word combinations are most functional to a child, the clinician will have to consult the parents, teachers, and other important people in the child's environment. From these people, the clinician can learn about the child's daily activities and about the daily situational language needs of the child. Once this information has been obtained, and only then, can the child's functional communicative needs be met.

The second topic under consideration is how to teach functional communication skills to the preschool child.

The clinician, as much as possible, should operate within the natural realistic environment for the individual child when teaching functional communicative skills. That is, the clinician should use the actual daily situations in which the child is likely to be involved. When teaching words or word combinations so that the child can express his most basic wants and needs, the clinician should work in situations where the child feels that need. For example, the teaching of "eat" or "eat cookie" would be done during juice time; it would not be done after a meal while the child looks at a picture of someone eating. Likewise, feeling words such as "sad" are taught when the child or someone the child sees is sad; it would not be taught by having the child look at a picture of a boy with a sad face. Pictures may be used later, after the child has demonstrated comprehension of the concept of "eating" or "sadness." Then pictures may be employed to broaden that child's base with regard to the word and concept of "eating" or "sadness."

When possible, the clinician should use actual materials found within the child's environment to teach early words and word combinations. This will allow the child to use familiar materials in a situation where he is to learn the new behavior of communicating about these familiar objects. Later, new objects unfamiliar to the child may be introduced to broaden his experiences.

The materials should be utilized in such a way that the child is involved personally in acting upon the objects or within the situation; this is much more effective than having a clinician or teacher carry out the actions on the objects or actions within a situation and having the child watch passively. For example, if the child is learning to say "sit chair," the child should physically go through the action of sitting in a chair rather than watching someone else do it or seeing a picture of someone sitting in a chair.

When the clinician talks to the child about what is happening, to provide additional linguistic input the clinician should talk in short, fully grammatical sentences. The clinician should not use telegraphic utterances. The short, fully grammatical sentences provide the child with a more natural model. It also has been found that young children comprehend short, fully grammatical utterances more often than they comprehend telegraphic utterances (Larson, 1974). For example, if a clinician is teaching the child to comprehend and they say "eat cookie," the clinician's linguistic input might be as follows as the child is going through the action of eating: "Jim is eating a cookie"/"Jim say 'eat cookie.'"

In describing to the child what he is doing, the clinician uses a short, fully grammatical sentence. What the child is asked to say is telegraphic in the example since children produce such telegraphic utterances when they begin to generate word combinations. Procedures of imitation, expansion, and modeling have been found to be successful in getting children to comprehend and produce various linguistic structures (Miller and Yoder, 1972).

This article serves as just a beginning in discussing what to teach and how to teach functional communicative skills to children. A great deal more remains to be said.

References

1. Bloom, L. 1970. Language Development: Form and Function of Emerging Grammars. M.I.T. Press, Cambridge, Mass.

2. Brown, R., C. Cazden, and U. Bellugi. 1969. The Child's Grammar from I to III. In J.P. Hill (ed.) Minnesota Symposium on Child Psychology. Vol. 2. Minneapolis, Minn.

3. Brown, R. 1973. A First Language. Harvard University Press, Cambridge, Mass.

4. Ginsburg, H., and S. Opper. 1969. Piaget's Theory of Intellectual Development: An Introduction. 1974. Prentice-Hall, Englewood Cliffs, N.J.

5. Larson, V. 1974. Comprehension of Telegraphic and Expanded Utterances by Mentally Retarded and Normal Children at Stage I and III of Linguistic Development. Doctoral Dissertation, University of Wisconsin—Madison.

6. Melcher, J. 1976. Early Childhood Education for EEN Children—Specific or Generic Programming? Bureau Memorandum. Vol. 17 (no. 2, Special Edition) : 2.

7. Miller, J., and D. Yoder. 1972. A Snytax Teaching Program in McLean, Yoder, and Schiefelbusch (ed.) Language Intervention with the Retarded, University Park Press, Baltimore, Maryland. p. 191-211.

8. Miller, J., and D. Yoder. 1974. An Ontogenetic Teaching Strategy for Retarded Children. In Schiefelbusch and Lloyd (eds.) Language Perspectives-Acquisition, Retardation and Intervention. University Park Press, Baltimore, Maryland. p. 505-528.

9. Moorehead, D., and D. Ingram. 1973. The Development of Base Snytax in Normal and Linguistically Deviant Children, JSHR, p. 330-352.

10. Piaget, J. 1955. The Language and Thought of the Child. Translated by M. Gabain. Meridian Books, Cleveland.

11. Piaget, J. 1967. Language and Thought from the Genetic Point of View. In D. Elkind (ed.) Six Psychological Studies. Translanted by A. Fenzer. Random House, New York.

The Effectiveness of Language Therapy on Psycholinguistic Skills

Barbara Birmingham
Speech Pathologist
Milwaukee Public Schools

The effectiveness of training in psycholinguistic skills has long been an area of concern. After reviewing the results of 38 studies which attempted to train children in psycholinguistic skills using the Illinois Test of Psycholinguistic Abilities (ITPA) as the criterion of improvement, Hammill and Larsen (1974) concluded that the effectiveness of such training had not been conclusively demonstrated and therefore, that the rapid expansion of psycholinguistic training programs seemed unwarranted.

In the Milwaukee Public Schools, speech pathologists are involved in the diagnosis and remediation of language disabilities. The ITPA is used extensively, though not exclusively, in diagnosis and in measurement of progress. Therefore, data are available from speech pathologists in the field in regard to the performance of their students on any number of standardized tests.

The purposes of this study were (1) to examine the correlations between scores on various subtests of the ITPA and scores on several other standardized tests commonly used in the diagnosis of language disabilities and (2) to evaluate the effects of language training on the various psycholinquistic skills as measured by the ITPA.

Methods

Speech pathologists in the Milwaukee Public Schools were asked to participate on a voluntary basis. Fourteen pathologists responded, submitting test profiles of children evaluated during September and October, 1974. Data were submitted on 81 children from 15 schools, ages 3 through 12, currently enrolled in special education and regular classrooms.

The study consisted of two phases. In Fall 1974, the data collected on each subject were his raw scores on the Peabody Picture Vocabulary Test, the Wepman Test of Auditory Discrimination, the Wepman-Morency Auditory Memory Span Test (unrelated words), the Spencer Sentence Memory Test, and his ITPA profile (revised edition). In Spring 1975, an ITPA profile was submitted on each subject who had been retested along with information on the type and frequency of training received during the school year. The type of language therapy could not be controlled in this situation. Pathologists simply indicated group and/or individual sessions, the frequency and duration of the sessions, and which psycholinguistic skills they had strived to improve. It was assumed that a variety of techniques and materials would be utilized to best meet the children's needs.

Pearson Product-Moment Correlations were computed for the various test scores collected in fall. The mean discrepancy in months between chronological age and composite psycholinguistic age was computed for those subjects enrolled. In the retest portion of the study, progress was assessed by considering the mean improvement in composite psycholinguistic age (in months), in mean scaled score, and in the scaled score for each of the subtests, both in general, and when improvement in the particular subtest area was indicated as a specific goal of language therapy.

Results and Discussion

It should be noted at the outset that this was an informal collection and analysis of data. The sample taken was not random and there was no control group. Thus, generalization to other groups would be hazardous at best.

In the correlational analyses (using the Pearson product-moment correlation, r), raw scores on all tests were used since there was such a variety of tests being reported. The significance levels of the r's are noted with a $p<.01$, indicating a very strong association between variables. The strongest relationships were seen between receptive vocabulary and auditory association ($r=.79$, $N=70$, $P<.01$) and between receptive vocabulary and auditory reception ($r=.73$, $N=70$, $p<.01$). Not as strongly related were auditory reception and auditory association ($r=.67$, $N=77$, $p<.01$) and word memory and sentence memory ($r=.64$, $N=25$, $p<.01$). It is interesting to note the decreasing strength of the relationship between word memory and sentence memory ($r=.64$, $N=25$, $p<.01$), digit memory and work memory ($r=.60$, $N=26$, $p<.01$), and digit memory and sentence memory ($r=.44$, $N=46$, $p<.01$).

The average discrepancy (in months) between chronological age (CA) and psycholinguistic age (PLA) at the time of enrollment was analyzed by age. In general, the older a child was when he was enrolled in language therapy, the more depressed his PLA was from his CA.

Table 1 is the analysis of progress by age level and for the total sample. In this case, scaled scores were used for pretest/posttest comparisons since they take into account the change in CA over the year of therapy. In other words, to

Table 1 - Average progress in psycholinguistic skills following language therapy.

Age	N	PLA mo.	Mean SS	AR	VR	AA	VA	VE	ME	GC	VC	AM	VM
6	6	15.17	3.67	-1.17	5.00	5.83	7.50	2.50	1.67	2.67	5.33	2.50	2.67
				(-1.00)		(5.75)		(5.17)		(5.67)		(2.67)	
7	5	14.00	2.60	0.60	-2.60	5.80	1.60	2.20	2.80	5.80	3.20	3.80	3.80
				(4.00)		(7.78)		(4.00)		(8.00)		(4.75)	
8	3	20.33	3.33	2.67	-0.33	5.00	6.00	10.33	-1.00	0.33	5.00	0.67	5.33
				(6.00)		(5.50)		(11.50)		(3.00)		(1.00)	
9	4	15.25	1.25	-6.00	0.00	1.00	1.00	4.50	8.00	2.25	1.00	1.50	9.00
				(-5.67)		(1.00)		(5.33)	(3.50)	(2.25)		(2.67)	(7.00)
10	3	14.00	3.33	2.67	1.33	5.00	-7.67	4.00	5.00	12.67	5.00	2.67	5.00
				(2.67)		(5.00)		(6.50)		(12.67)		(1.50)	
11	1	21.00	7.00	0.00	3.00	7.00	0.00	2.00	11.00	10.00	7.00	6.00	25.00
				(0.00)		(7.00)		(2.00)	(11.00)	(10.00)		(6.00)	
12	1	22.00	7.00	3.00	5.00	11.00	9.00	6.00	0.00	14.00	12.00	0.00	9.00
				(3.00)		(11.00)		(6.00)		(14.00)		(0.00)	
Total	23	16.00	3.22	-0.39	-0.09	5.04	2.65	4.13	3.43	5.09	4.39	2.34	5.91
				(0.44)		(5.37)		(6.44)	(6.00)	(7.00)		(2.88)	(7.00)

This table represents average progress. Under PLA is found the average increase in PLA in months; the average increase expected through maturation alone would be approximately 9 months. Under Mean SS is the average improvement in mean scaled scores. Under the various subtests is found the average improvement in scaled score points. The figures in parentheses is the improvement shown only by students for whom improvement in that particular subtest area was indicated as a specific goal of language therapy.

improve one's scaled score, he would have to improve his raw score more than would be expected through maturation alone.

Since no control group existed, it was impossible to compute whether the results showed significantly more improvement with than without language therapy. However, a sizeable increase was generally seen in PLA and in mean scaled score. In analyzing the improvement seen in the subtest scaled scores, it was found that most areas showed good growth. Many of the visual areas improved even though they are not traditionally areas directly strengthened by language therapy either through maturation or through the efforts of the regular or special education classroom teacher. The areas of auditory association, verbal expression, grammatic closure, and auditory memory showed steady improvement especially when indicated as a specific goal of therapy. Auditory reception subtest scores did not show a consistent trend, even when improving auditory reception skills was stressed in the therapy setting.

Several factors could be influencing the auditory reception scores. First, the test item demanding a yes/no response allows a certain amount of guessing to occur. It remains a question whether the subtest truly is measuring what it purports to measure. Secondly, the criterion for ceiling of three incorrect responses out of any seven items seems more stringent than the other subtest ceilings. Lastly, although auditory reception skills are greatly emphasized, if the vocabulary peculiar to the test items is not taught, the child's score will not improve. In other words, this subtest skill is simply not as "teachable" as the others.

Conclusions

Overall, some of the clinical "hunches" speech pathologists have shared in recent years about the relationship of certain language skills to other language skills have been strengthened. We are given hope that if the ITPA is truly measuring certain skills that are indicative of language functioning, then the kind of language therapy being offered is improving these language skills. Lastly, it is a beginning. It will hopefully serve to move more practicing speech pathologists to tap the vast wealth of data that exists within their reach.

Acknowledgements

The author would like to thank June Perry, administrator of the Speech or Language Disabilities Program in the Milwaukee Public Schools for allowing the speech pathology staff to participate. I also express appreciation to Loretta Depke and the Educational Research Department of the Milwaukee Public Schools for consultation and access to calculating machines. Thanks are also given to Carol Schmidt and Barbara Heesch for reviewing this article. Of greatest importance, my appreciation is expressed to the speech pathologists who participated in this research endeavor by submitting data on children in their caseloads.

References

1. Hammill, Donald D., and Stephen C. Larsen. 1974. The Effectiveness of Psycholinguistic Training. Exceptional Children. 41 (1) : 5-14.

2. Kirk, Winifred. 1974. Aids and Precautions In Administering The Illinois Test of Psycholinguistic Abilities. University of Illinois Press, Urbana.

3. Kirk, Samuel A., and Winifred Kirk. 1971. Psycholinguistic Learning Disabilities: Diagnosis and Remediation. University of Illinois Press, Urbana.

4. Kirk, Samuel A., James J. McCarthy, and Winifred D. Kirk. 1968. Examiner's Manual—Illinois Test of Psycholinguistic Abilities, Revised Edition.

The Transitional Preparation Period

By John H. Stadtmueller
Administrator, Title VI, EHA
Division for Handicapped Children

In our efforts to provide the best possible program arrangements for children with exceptional educational needs (EEN), we are continually becoming more involved in the day-to-day operational procedures of providing appropriate service delivery systems. The Chapter 115 mandates have been an extremely helpful guide as well as a soul-searching mechanism for local schools in their efforts to update and expand their program offerings. This will ensure that all children with EEN will be provided a free appropriate education as soon as is conveniently possible. In addition to Chapter 115, we are now faced with federal mandates under PL 94-142 which, in turn, will spell out additional requirements that must be followed by local public school districts in providing appropriate services to EEN children. These two pieces of state and federal legislation have many commonalities and will both be very beneficial to Wisconsin once they are fully implemented.

In reviewing some of the concerns expressed by people throughout the state in implementing this relatively new legislation for the handicapped, local school districts are expressing areas of need in their tooling-up process. As such, it seems desirable on the part of the Department of Public Instruction, Division for Handicapped Children to give emphasis possibly in the area of technical assistance to help staff members in school districts throughout Wisconsin become more skilled in dealing with matters relating to the tooling-up process. Consequently, we will be planning a series of inservice activities which will be addressed to the areas of most common concern and, hopefully, such inservice/workshop activities will be of value to local public schools in helping them meet their charge of providing appropriate educational programs to all EEN children in Wisconsin. It is expected that throughout the 1976-77 school year there will be a series of such meetings most probably held on a geographic basis which will cover the following areas of expressed concerns:

1. There is need to provide additional training in the matter of the *hearing officer concept.* There has been some training sessions already over the past 2 years but there is strong evidence indicating a need for more training in this area.

2. In order to possibly avoid going into a formal hearing process, there is expressed need for training to be offered in the area of *negotiations and conciliatory action* resulting in many out-of-court settlements.

3. While we apparently do not have a large number of unserved children in Wisconsin, we nevertheless have a crying need to update and refine our entire process of *child find.* This is such an important area that we are proposing that school districts may wish to apply for Title VI proposals which would provide a child find specialist at the local level. Such projects conceivably could be funded almost totally with Title VI money with very minute amounts of local fiscal resources required. In turn, it is felt that a child find specialist activity would be a supportable activity under the flow-through funds of PL 94-142 as the major priority in PL 94-142 addresses itself to that of the unserved.

4. Our past experience has led us to believe that there is still need for training in the area of the function and responsibilities of *multidisciplinary teams (M-team).* This entire process is vital to our initial entry level for appropriate programming for exceptional children.

5. Once children have been seen by an M-Team, evidence indicates a great need for technical assistance to be provided to local public schools, particularly teachers of exceptional children, in the area of developing *individual educational plans.* The individual educational plan (IEP) is a requirement both under state legislation (Chapter 115) and for an accountable requirement under PL 94-142.

6. In matters dealing with the unserved, we have not really broken ground in Wisconsin on the appropriate educational program arrangements for *out-of-school unserved youth.* There appears to be a rather sizeable number of youth having EEN who have left the school setting either because they have "graduated," have dropped out, or have left because of completing all local offerings and for all practical purposes, are not in educational training programs offered by vocational technical schools nor are they gainfully employed. This "floating the streets" group has very definite rights for additional programming and it would appear that the local public schools have an obligation to reprogram such youth into appropriate educational training programs. This particular group of unserved youth is so important that under PL 94-142 it is specified as a particular area of need.

7. As we progress in the field of education for EEN children, it becomes more evident that the matter of accountability will be a factor we must contend with. As such, there appears to be a pressing need to

devise a system of *evaluation* which could be used as a self-evaluation measure or as an outside evaluation measure in determining the effectiveness of the program offerings to EEN children. We are hopeful that we will be able to provide some basic training in the matter of practical evaluation methods.

8. With Wisconsin being faced with two separate pieces of legislation, both mandating full services to EEN children and youth, there is an expressed need to work with local school districts attempting to arrive at a workable solution for *tying both pieces of legislation together* so that the requirements may be met by the local school district in the most appropriate and efficient manner.

9. When PL 94-142 becomes implemented and where flow-through funds are available to local school districts based on the number of EEN children they have enrolled in programs for exceptional children, there will be a requirement of a *local federally based plan.* Hopefully we will be able to tailor such a plan to coincide somewhat with the narrative reports required under Chapter 115 of the Wisconsin law. With this need in mind, it is evident that training sessions are necessary to show local school districts an acceptable method in developing an approvable LEA federally based plan which will meet the requirements of PL 94-142.

10. A new area that appears to be looming on the horizon deals in the matter of *Section 504 of the Rehabilitation Act of 1973* which addresses itself to nondiscrimination of handicapped persons in federally sponsored activities. Since most school districts are receivers of federal funds, this would strongly suggest that this is an area where emphasis must be given. In its concept, Section 504 addresses itself to the need for compliance in two distinct areas:

    a. Local school districts must provide for appropriate programming arrangements for handicapped children without undue stress or, in short, local school districts must reflect an attitude of willingness to do the best for handicapped children without being forced into such a position. In Wisconsin, we do not feel this point will have any concern for us as our past 2 years have shown a great amount of responsibility on the part of local school districts implementing Chapter 115.

    b. Another important part of Section 504 addresses itself to the matter of architectural barriers as it pertains to all types of facilities and programming arrangements for handicapped children. In this context, new buildings are required to meet the Wisconsin code and under Section 504 older buildings will have to meet requirements in 1978 for school age handicapped children and by 1984 for preschool aged handicapped children. The matter of architectural barriers is important over and above that of being able to enter into the building conveniently at a first floor level and that of overcoming the barrier of climbing stairs. This architectural barrier also includes such areas as width of toilet stall doors, lighting, heighth of water fountains, and the heighth of bulletin boards, chalkboards, etc. Since Section 504 will be federally mandated, it becomes important that Wisconsin school districts meet the requirement in overcoming any form of discrimination both in attitude and in architectural barriers as soon as is conveniently possible.

The above ten points seem to cover the most pronounced area of issues that will require some attention in helping school districts to tool up to meet the mandates of Chapter 115 and PL 94-142. It must be noted that the above points do not address themselves to specific instructional areas as it seems that school districts are able to adequately work through these matters from a professional content area both, in part, through preservice training and on-the-job experience. As such, the listing does not reflect need for advanced inservice/workshop activities in the areas of early childhood, learning disabilities, emotional disturbed, etc.

The article under the title of Federal Programs following this article will point to other areas of interaction in our total programming effort for Wisconsin's exceptional children.

Principals Favor Mainstreaming if it's Not Disruptive

Elementary school principals meeting in Atlantic City last month (ED, Apr. 27) adopted resolutions giving guarded approval to the idea of putting handicapped children in regular classrooms but warning that "mainstreaming" should be resorted to only if handicapped youngsters can function successfully without disruption to other students. The question of disruption is expected to be a major problem in HEW's implementation of the new Federal Education for All Handicapped Children law (PL 94-142), which goes into effect a year from now and includes a requirement that handicapped children be educated in "the least restrictive environment."

The National Association of Elementary School Principal's delegate assembly also took a firm line on who should decide about special education placement after some members complained that "the special ed people" in school districts are telling principals what they have to do under the new legislation. "NAESP reaffirms its stand that principals must provide the primary leadership in development, implementation and supervision of programs for exceptional children."

Reprinted from *Education Daily*, May 11, 1976, page 5.

Title VI-D (EHA) Program for 1976-77: Revisions, Revisions, Revisions

By Dick Trotta
Program Administrator, Title VI-D, EHA
Division for Handicapped Children

For those of you who have had experience with federally-funded programs and in particular being involved in project budgets, the word "Revision" takes on the definition of standard operational procedure. The DHC 1976-77 Title VI-D application for program assistance was submitted to the U.S. Office of Education (USOE), Bureau for Education of the Handicapped (BEH) on October 16, 1976. Since that time, there have been two revisions of the original project budget and a third one likely before final approval is granted. At this writing (May 1976), official approval of the DHC 1976-77 Title VI-D program application has not been received from the contracts and grants office of the USOE, BEH. When you consider the fact that the 1976-77 program year began on June 1, 1976, you have som indication of the tenuous nature of the Title VI-D program administrator's existence.

Changes have been made in 1976-77 DHC Title VI-D program budget and activities as follows:

A. Program Budget

1. Original request = 135,00.00

2. Negotiated final grant = 125,000.00 - (for previously included activities)
   Plus = 10,000.00 - One year only amount to be used for Title VI-D *intra-state cooperative planning activities

   a. Breakdown of final DHC project budget cuts which reflect $10,000.00 reduction:

   -Disapproved out-of-state travel-(Administration) ---------- $600.00

   -Reduced amount of total budget for four proposed special study institutes:

(1) Issues and Concerns in Early Education of EEN Children	2,825.00
(2) Multiple and Severely Handicapped; PH/MR	2,825.00
(3) Cooperative Planning for Transition of Severely Handicapped	2,825.00
(4) Expansion of Services, etc. for Deaf and Visually Impaired	925.00
Total reduction	$10,000.00

B. Special Study Institutes (1976-77)

Changes in the four previously proposed special study institutes reflect revised dates of operation and revised total institute budgets as seen in Table 1.

C. 1976 Short-term Summer Traineeships

The USOE/BEH did not ask for elimination or curtailment of this aspect of the DHC Title VI-D application as they did during the negotiation period in the previous program year. We had allocated a total number of 22 short-term summer traineeships (as described in the 1975 Winter issue of the *Bureau Memorandum*) in seven different disability areas. Approximately 350 applications were received with the greatest number applying for traineeships in the areas of: specific learning disabilities; emotionally disturbed; and special education administration/supervision.

The job of selecting 22 persons for awards in seven different areas from 350 applicants was most difficult for the DHC Title VI-D Selection Committee. However, they did an excellent job in this respect and all 22 award-recipients were notified by May 1, 1976, as were the nonaccepted candidates.

Among the 22 summer traineeship awards were two in the area of special education supervision of severely handicapped children. The recipients of these awards are both in the latter stages of the special education administrative internship program at the University of Wisconsin-Madison and Milwaukee. They are: (1) Nancy Byfield, presently a special education supervisor with the Stoughton Public Schools (will attend U.W.-Madison); and (2) James H. Larson, a supervisor of special education for the Brillion Public Schools (attending U.W.-Milwaukee). Both persons will have served their 8-week practicum-experience with the Division for Handicapped Children, Bureau for Exceptional Children from June 21-August 13, 1976.

*Intra-state cooperative planning is being conducted by steering committee of Title VI-D project directors, representing 14 Wisconsin teacher training institutions and the state education agency.

Table 1 - Title VI-D proposed special study institutes.

Institute	Director (s)	Five Regional Workshops-Total Budget—$31,556.00 Dates	Locations	Workshop
(1) Early Education of EEN Certification	John Melcher-DHC (w/Dr. D. Franks)	June 2-4	UW-Whitewater	I
Language Development	(w/V. Smith)	June 9-11	Green Bay	II
Urban Resources	(w/Dr. D. Blodgett)	Aug./Sept.	Milwaukee	III
Curriculum Improvement	(w/A. Robinson)	June 7-9	Eau Claire	IV
Non-Urban Resources	(w/H. Donatell)	July 20-22	Manitowoc Co.	V
				Budget
(2) Inservice teachers of Multiply/Physically Handicapped	Betty Rowe-DHC Jim Despins-DHC	Sept./Oct., 1976		$16,275.00
(3) Cooperative Planning/Transition of Severely Handicapped	Tom Stockton-DHC Vic Contrucci-DHC	Dec./1976 or Jan/1977		12,455.00
(4) Expansion of Services etc., for Deaf and Visually Impaired	A. Papineau-DHC S. Milesky-DHC	Feb/March, 1977		7,892.00

Trends for Future Funding in Title VI-D

Legislative Influence — Take the ingredients contained in recent legislation for handicapped children as embodied in Chapter 115 and Chapter 90, judiciously add federal portions as described in Senate Bill 6 and PL 94-142 of the Education for ALL Handicapped Children Act (1975), and you have the foundation for future direction and implementation of services for all handicapped children aged 0 through 21 years.

State laws guarantee equal educational opportunity for children ages 3-21 years with exceptional educational needs (EEN) at public expense and they spell out the process whereby these children will be screened, referred, assessed and evaluated, programmed, and placed in that educational setting most conducive to their optimum progress and development.

The federal legislation then complements the childfind effort, equal opportunity, and full-service goal for *all* handicapped children by providing funding resources to the states on the basis of an increasing percentage of the national average per pupil expenditure (NAPPE) multiplied by the number of handicapped children (3-11) receiving a free and appropriate education (PL 94-142). For an interesting account of the role of federal funding for handicapped children, we refer you to a position paper titled "Funding of Programs for Children with Exceptional Education Needs in Wisconsin," April, 1976, prepared by Dr. John Cook, Research and Evaluation Consultant, Division for Handicapped Children.

Program Activities in Title VI-D (1977-1980)—All indications resulting from feedback and evaluations received from previous special study institutes, interaction with teacher-training institution personnel, and recipients of Title VI-D summer traineeships, along with gentle priority pushed from the USOE/BEH, give rise to these speculations for future program activities under Title VI-D:

1. In-service education for both regular and special educators is a must. A high priority area of emphasis should be concerned with the M-team process.

2. The kind and number of traineeships awarded should consider variable kinds of awards (i.e. full-year, semester, and short-term).

3. The development of quality, competency-based teachers in defined high priority areas is more important than just providing numbers of available personnel.

4. Teacher-training institutions and the state education agency must develop cooperative activities which cut across all disability areas and provide an effective base for appraising both preservice and in-service training of special and regular educators (e.g. intrastate cooperative planning). Add to the above, concern for up-dating, reviewing, and reinforcing such areas as teacher certification in special education and development of a valid, appropriate assessment of manpower needs and preparation programs in Wisconsin.

5. There appears to be a great demand for training pErsons (especially special education directors and supervisors) as hearing officers in appeal cases. A corollary to the above would be concerned with providing some kind of workshop which deals with the matter of developing clear-cut negotiation procedures and/or conciliatory action to be used with parents which can lead to out-of-court settlements.

This author anticipates that there will be no significant change in the application forms for future DHC Title VI-D traineeships except to include opportunities for other than just short-term summer session awards. Interested applicants are asked to contact after November 1, 1976 the DHC Title VI-D office, special education department chairperson, all Wisconsin teacher training institutions, or Wisconsin directors of special education for updated Title VI-D application forms.

PROFILE

Dr. David Yoder

Dr. David E. Yoder is presently chairman of the Department of Communicative Disorders at the University of Wisconsin - Madison. David comes from a rural Iowa background. When he reminisces about his school years in Iowa, he could just as well have been reared in any number of small, rural school districts in Wisconsin.

He was graduated with a Bachelor's Degree from Goshen College. He received his Master's Degree from Northwestern University and his Doctorate Degree from the University of Kansas. He came to Wisconsin with an excellent background in training and a wide variety of experience.

More importantly, he came to Wisconsin when the area of language disabilities was beginning to be recognized as a serious problem for many children. His interest was in language disabilities in general and language development for the retarded in particular. During his first years in Wisconsin, everyone was eager to acquire knowledge in these areas of language and David was very eager to share. He never refused an invitation to conduct a workshop or institute or speak at an inservice meeting. His enthusiasm was genuine and his offerings so practical that professionals throughout the state were anxious to listen to him time and time again. The rapid growth of services to language disabled children in Wisconsin has been due, in large part, to David's willingness to share his knowledge and expertise.

David and Dr. Jon Miller have been working closely on observing and recording emerging skills of language and cognition. They have earned national appreciation for assessment of and programming for early language disabilities and language problems of retarded children.

He has been invited to bring his expertise to the most sophisticated of school districts within our national boundaries as well as to some quite primitive districts in the Territories. Although he is invited as an expert, he enters every situation as a helper. He is more concerned with what can be done rather than what should be done. Wherever request might take him, he is highly respected. He never commands respect, he earns it.

David is the kind of individual that Dr. Lois Nelson calls "a people type person." He is interested in people and their experiences, whatever they might be. He also has a natural sense of humor that is spontaneous. An evening with David begins with quiet conversation and always ends in physically exhausting laughter.

The Yoder's enjoy living in Madison. They are collectors of antiques and memorabelia. On a scale of 1 to 5, they are avid at about a 4. When one listens to David talk about a vacation or weekend excursion, one quickly realizes that it was a preplanned treasure hunt.

This profile presents only a very, very small part of David Yoder. It does represent a great, big load of thanks.

Teaching the Exceptional Child to be Aired Second Semester

The Maryland State Department of Education has designed a telecourse to assist teachers expecting to receive exceptional children in the regular classroom. "Teaching the Exceptional Child" gives introductory information in the observation, identification, and management of exceptional educational needs (EEN) of pupils with mild learning and behavior problems in 15 half-hour programs. While geared primarily to the elementary level, the general content of the series is considered appropriate for all regular teachers. The course includes an extensive book of readings and study guide.

Program subjects include teacher attitudes, observation of behavior, behavior problems, learning styles, oral receptive language, oral expressive language, analytic and synthesis approaches to reading, mathematical problems, and the referral process.

The series is scheduled to be broadcast on consecutive Tuesdays from 7:35 - 8:05 a.m. beginning January 18, 1977. Repeat broadcasts will be on Wednesdays from 5:30 - 6:00 p.m. starting January 19, 1977. The series will end May 3-4, 1977. Channels 20, 21, 28, 31, and 38 will carry the programs. Channel 8 in Superior will carry the series on Tuesday mornings only from 7:35 - 8:05 a.m. Channel 36 in Milwaukee will carry the series on Thursdays only starting January 20, 1976 from 6:00 - 6:30 p.m. Due to spring vacations, the programs for the week of April 5-7 will be repeated the week of April 12-14.

Several University of Wisconsin campuses will be offering the course for graduate, undergraduate, or continuing education units. For course information and requirements, contact the Department of Extension Education, 228 Lowell Hall, 610 Langdon Street, Madison, Wisconsin 53706, or phone (608) 262-3831.

Supplemental Report No. 2 to the Federal District Court for the Eastern District of Wisconsin on Continuing Implementation of Subchapter IV of Chapter 115

Continuing Progress Report on Chapter 115 Implementation

(Third Year Progress Report)

By Kenneth R. Blessing, Ph.D.
Director, Bureau for Exceptional Children
Division for Handicapped Children

In its decision and order stipulation no. 72-C-461, relating to the Panitch vs. the State of Wisconsin, William C. Kahl, State Superintendent of Public Instruction, the State Department of Public Instruction, Joint City School District, City of Glendale and Village of River Hills, dated February 26, 1976, the court indicated the following directive:

> "(2) The defendants are directed to prepare and submit to the court by July 15, 1976, supplemental reports on the implementation of Chapter 89."

This paper attempts to document progress made by the state educational agency and local school districts in implementing Chapter 89, hereafter referred to as Chapter 115, during the *third* school year following its enactment. On September 1, 1974 and again on March 13, 1975, the Federal District Court for the Eastern District of Wisconsin received the Department's initial and supplemental report relating to the above directive. These were entitled *Progress Report on Chapter 89 Implementation: After One Year* (Winter 1974-75, Volume 16, Number 2 *Bureau Memorandum) and Supplemental Report to the Federal District Court for the Eastern District of Wisconsin on Continuing Implementation of Chapter 115, Laws of 1973 in School Year 1974-75* (Fall 1975, Volume 17, Number 1 *Bureau Memorandum)*, respectively. Thus, this third year progress report is intended to supplement and extend the earlier referenced documents.

Part I considers staff activities of the Division for Handicapped Children (DHC), Wisconsin State Department of Public Instruction, over the time span of March 15, 1975 through June 30, 1976. Part II is a report of local educational agency efforts as reflected in available summary data on the extent of new programs/services established for exceptional children since the initial report and encompassing school year 1975-76. Part III will outline the Department's approach in responding to the first citizen group's allegation of noncompliance pursuant to s. 115.89, Wis. Stats. and its proposed rules for responding to anticipated noncompliance charges in the 1976-77 school year and thereafter.

PART I. STATE EDUCATIONAL AGENCY ACTIVITIES

Subchapter IV of Chapter 115 stipulates that the Division for Handicapped Children shall coordinate the development of all special education programs in the state operated by school districts, county handicapped children's education boards (CHCEB), cooperative educational service agencies (CESA), or by state or county residential facilities. Coordination entails a broad host of responsibilities and duties outlined in s. 115.77 (4) (a) through (f), Wis. Stats.

For the months following issuance of Supplemental Progress Report No. 1 and for school year 1975-76, the state educational agency's efforts may be characterized as centered in five broad areas of implementation, i.e., (1) public education and informational activities; (2) official rules promulgation; (3) inservice activities related to accomodation of the EEN child in the least restrictive educational environment; (4) planning and committee activities focused upon the development of additional administrative/program rules; and (5) direct consultative efforts to assist local school districts in their efforts to develop new and expanded programs and services during the third year of Chapter 115.

Public Education and Information Activities

Since March 15, 1975, the DHC's staff efforts in the realm of public information activities have been to primarily inform district administrators, school boards, and leadership personnel of new rules promulgated, legal opinions relating to Chapter 115, and of significant Congressional legislation (PL 94-142) having an impact on Chapter 115. Public information materials disseminated over this period are itemized in Table 1.

Another significant public information activity has been the

scripting, taping, and filming of a slide/tape presentation for broad general public viewing titled "Someone Cares for Cindy." Sponsored under Title VI-B funding and developed in cooperation with the University of Wisconsin Photographic Media Center, this media presentation depicts the role and function of the Bureau for Exceptional Children (BEC). It also provides highlights of Chapter 115, PL 94-142, and illustrates an M-team in action locally. Its initial showing was to Congressional leaders and U.S. Office of Education (USOE) personnel in Washington, D.C. during "Wisconsin Week" in March 1976. Since that time, the slide/tape presentation has been utilized with a number of professional and lay groups throughout the state by staff in the BEC.

In preparing for the presentation of the inservice telelesson series involving the Maryland Special Needs Project (discussed in more detail under Inservice Activities), another 30-minute video tape was codeveloped by the BEC and the UW-Extension Center. The state superintendent and the division administrator participated in this taping and discussed the major elements of Chapter 115, PL 93-380 and Wisconsin's least restrictive alternative model. This tape has also been used in a number of agency-sponsored conferences and workshops as part of the public education and information thrust in 1975-76.

Table 1 - Public information materials released by DPI in 1975 - 76.

Documents	Date of Issue	Current Status
Supplemental Report to the Federal District Court for the Eastern District of Wisconsin on Continuing Implementation of Chapter 89, Laws of 1973 in School Year 1974-75	March 13, 1975	Limited Copies Available from DPI
Additional Tentative Rules for Chapter 89, Laws of 1973 Relating to: (1) School-Age Mothers, (2) Physical/ Occupational Therapists, (3) Parental Appeals and Local Hearings	March 17, 1975	Available from DPI in final rule form
Bulletin No. 75-3: Suggestions for Maintaining Flexibility in the M-team Process	May 12, 1975	Limited Copies Available from DPI
Additional Tentative Rules for Chapter 89, Laws of 1973 Relating to: (1) Placement Process Guidelines, (2) Differentiated Staff, (3) Program Types and Levels, (4) Least Restrictive Alternative Model	May 21, 1975	Available from DPI in final rule form
Letter from State Superintendent to District Administrators and School Board Members Regarding Full Implementation of Chapter 89	May 30, 1975	Limited Copies Available from DPI

Table 1 (Continued)

Documents	Date of Issue	Current Status
Joint Agreement Statement from DHSS and DPI-Need for Continued Planning & Orderly Implementation of Chapter 89 in 1975-76 for Transportation of Children 3-6 and 16/18 through 20 in Day Service Programs	June 5, 1975	Available from DPI
School District Plan, Part A-Annual Report on Special Education Programs for the Handicapped for the Year 1974-75	June 15, 1975	Limited Copies Available from DPI
Plan for Special Education Personnel Preparation: Manpower/Inservice Training Work Committee Report	August 15, 1975	Available from DPI
Bulletin No. 75-4: Identification of Discrimination in the Assignment of Children to Special Education Programs	September 7, 1975	Available from DPI
Integrated Annual Plans of Service for Special Education Programs to be Used by All LEAs	September 9, 1975	Available from DPI
Facilitating Instructional Alternatives for Exceptional Children Through Inservice and Continuing Education: A Resource Paper	October 2, 1975	Available from DPI
Annual Survey on Special Education Services/Programs in Private Schools for 1975-76	October 15, 1975	Available from DPI
Chapter PI 11 - Official Rules Implementing Subchapter IV, Chapter 115, Wis. Stats.	January 1, 1976	Available from DPI
Notice: Amendments to Rules to Implement Subchapter IV, Chapter 115, Wis. Stats.	February 2, 1976	Available from DPI
Bulletin No. 76-1: Department of Public Instruction Access to Pupil/Program Records	February 3, 1976	Available from DPI
Bulletin No. 76-2: Joint Finance Committee Decisions Relative to Chapter 115 in Minibudget and for 1977-79	February 23, 1976	Available from DPI
Letter from State Superintendent to District Administrators and School Board Members Re: Compliance with the DPI Rules Regarding Full Implementation of Chapter 115	March 4, 1976	Available from DPI
Bulletin No. 76-3: Minimum/Maximum Ranges for Special Education Programs/Services	March 9, 1976	Available from DPI

Table 1 (Continued)

Documents	Date of Issue	Current Status
Bulletin No. 76-4: Highlights of PL 94-142	April 2, 1976	Available from DPI
Reminder Announcement to LEAs Concerning Three-Year M-team Reevaluations Required in 1976-77	April 2, 1976	Available from DPI
Memo to Administrations, CESA Coordinators, Directors of Special Education Re: Changes in Minibudget for 1976-77	April 30, 1976	Available from DPI
Bulletin No. 76-5: Department of Public Instruction Bulletin on Criteria for Eligibility for SLD Programs and 2% Incidence Limitation	April 30, 1976	Available from DPI
Letter from State Superintendent to District Administrators Re: Narrative Outline Plan; Minimum/ Maximum Enrollment Ranges; Forms and Accountability	June 3, 1976	Available from DPI

Official Rules Promulgation

As required by state statute, proposed rules for implementing Chapter 115 were subjected to public and legislative hearings in Madison on the following dates: July 14, 1975, September 12, 1975, and December 17, 1975.

Consumer input was received at each of the first two hearings requiring subsequent rules revisions and modifications after each hearing by BEC staff committees. In addition, Senator Berger's Joint Committee on Review of Administrative Rules conducted a series of six regional public hearings in the following areas on these dates: November 3, 1975 - Milwaukee; November 4, 1975 - Madison; November 13, 1975 - Appleton; November 20, 1975 - Marshfield; December 15, 1975 - Ladysmith; and January 12, 1976 - Eau Claire.

Additional testimony at these public hearings was reviewed and incorporated in the revised rules following these legislative activities. On December 17, 1975, the final draft of the rules was presented to the Joint Education Committee which approved their transmission to the Revisor of Statutes. On January 1, 1976 these rules became the official *Chapter PI 11 Rules Implementing Subchapter IV of Chapter 115, Wis. Stats* (Appendix A).

Inservice Activities - Accommodation in the Mainstream of General Education

Several staff representing the Manpower, Inservice, and Teacher Preparation Rules Committee attended a preview and training session in Chicago sponsored by the National Association of State Directors of Special Education (NASDE) in May 1975. The purpose of the training session was to acquaint viewers with the objectives and content of the *Teaching Children with Special Needs Project* developed by the Maryland State Department of Education under a grant from the Bureau for the Education of the Handicapped, U.S. Office of Education. This telecourse of 16 half-hour sessions is designed to assist regular educators in the observation, identification, and management of elementary-aged children with mild to moderate exceptional needs, who are accomodated in general education under the rubric of the least restrictive alternative placement.

Subsequent to this preview, the BEC sponsored a 2-day Special Study Institute in the summer of 1975 to acquaint teacher trainers and special education leadership personnel with the content of this series and the availability of these media resources.

In collaboration with the UW Extension Center, this series was sponsored over the statewide TV Network by the state educational agency during the second semester of 1975-1976. Enrollees took the course for university credit or continuing education units. Participants were required to view the television lessons, use an accompanying resource guide, attend follow-up seminars conducted by local facilitators, and complete designated coursework. Viewing statistics reported to the BEC for this series are as follows: 239 regular teachers taking for credit and 243 regular/special educators taking for C.E.U. Additionally, a number of local educational agencies and institutions of higher education have borrowed loan copies of the BEC's tapes. A minimal estimate suggests that an additional 935 regular/special educators and students are viewing the series at other than TV scheduled time.

Another state educational agency involvement with statewide inservicing of regular and special educators was the coliaborative involvement with the UW Extension Center and the Wisconsin Consortium of teacher training institutions in the development of the TV package series *Mainstreaming the Exceptional Child.* This 15 half-hour series was broadcast over the statewide network during the first semester and a BEC staff member served as host for the series. The UW Extension Center reported the following viewer statistics: 400 teachers viewed for credit, 400 teachers were estimated as viewing without credit, and 150 Milwaukee teachers viewed for board credit - 2nd semester.

In addition, "Mainstreaming" was rated in the Nielsen ratings as having 2% of the sets in the WHA viewing area during its 5:30 p.m. showing. This implies a minimum of 3,000 sets were turned on to this series at any single showing.

Under Chapter 90 standards, each school district is required to establish a procedure by which its professional staff formulate a long-range inservice plan and operate an annual inservice program for all of its professional staff members. In addition, the Wisconsin legislature has pending legislation (AB 278) requiring all regular teachers in training or already in the field to participate in inservice coursework on the nature and needs of exceptional chil-

dren. Recognizing the need for achievement of the above standard and the potential impact of AB 278, the state superintendent endorsed the above TV inservice efforts in a publication disseminated to the field in September 1975. This publication, titled *Facilitating Instructional Alternatives for Exceptional Children Through Inservice and Continuing Education*, is Appendix B.

A comprehensive listing of other BEC inservice efforts over the time span of this progress report may be noted in Table 2.

Another entire series of state educational agency inservice thrusts has come through the assistance of the federally funded Wisconsin Resource (WRC), which is housed in the BEC. The Wisconsin Resource Center's support of inservice has four major components:

1) Dissemination of new knowledge
2) Simulation - Demonstration
   a) Practical application
   b) Consultation
3) Field training
4) Evaluation
   a) Assessment
   b) Prescriptive programming for children

To date, the WRC has sponsored 37 inservices, 18 of which have dealt with acquainting and training special educators of moderately and severely retarded children and leadership personnel in the utilization of the new curriculum guide, *The Basic Life Functions Instructional Program Model* developed under the auspices of the BEC. A total of 990 special educators participated in these latter inservice workshops in 1975. Another 1,316 special and regular educators, pupil service personnel, parents, and administrators were involved in the other 19 inservices sponsored by WRC in 1975-1976. A definitive description of these WRC inservice activities is included in Appendix C.

Table 2 - State educational agency inservice activities.

Name of Institute	Date	Major Focus or Objectives	Participants
Alternative Approaches Toward Full Implementation of Chapter 89	April 10-11, 1975	Project catalyst is a model for mainstreaming handicapped children in regular school classes	65 regular teachers/principals 35 special teachers/ adminstrators
Educational Reinforcement for Local School Boards in Implementing Chapter 89	May 12-14, 1975	Designed to instruct school board members in: (1) the specific mandates of Chapter 89; (2) the current DHC guidelines; (3) legal implications; and (4) alternative approaches for providing services to EEN children	20 school board members

Table 2 (Continued)

Name of Institute	Date	Major Focus or Objectives	Participants
Development of Classification and Resource Guidelines (LD/ED)	May 14-16 & May 27-29, 1975	Small group workshop sessions designed to develop criteria for a classification system, and related resource/informational papers	15 special teachers
Update/Continued Implementation of Chapter 89	May 22-23, 1975	To allow the state's special ed. directors and supervisors to review, react to, and interact with DHC staff relative to current guidelines and rules disseminated by DHC	100 special directors/ supervisors
The Exceptional Child - Home and School Interaction: The Law, the Practice, the Expectations	August 18-20, 1975	To provide opportunities for the interaction of parents of regular and/or exceptional children with selected school board members and DHC staff - for purposes of airing concerns and ideas related to the implementation of Chapter 89	40 parents — regular and special, 20 school board members
Workshop for State Leadership Personnel in Special Ed.: Maryland Inservice Training Model	August 21-22, 1975	SEA, LEA and IHE leadership personnel in special educ. will appraise exemplary model of maintaining EEN children in reg. ed. classes	52 SEA, LEA IHE leadership personnel
Effecting Positive Attitudinal Changes in Regular & Special Educators Who Are Responsible for the Education of Handicapped Children	March 18-20, 1976 and April 9-10, 1976	To impart knowledge of EEN in order to facilitate positive attitudinal changes through interface of regular & special educators. Group workshops & simulation exercises in problem solving included	60 regular educators 63 special educators
Inservice Training of Regular & Special Education Staff in Programming & Delivery of Services for the Individual Handicapped Child: Differentiated Staffing & Program Evaluation Design	March 25-27, 1976 and April 23-24, 1976	Differentiated staffing and program evaluation design was the major theme	47 regular educators 47 special educators

Table 2 (Continued)

Name of Institute	Date	Major Focus or Objectives	Participants
Current Assessment of Existing Special Education Programs	April 1-3, 1976	Focus on the screening and M-Team process, the placement process & providing for unmet needs including the role & function of supportive service personnel	50 regular educators 23 special educators
Regional Workshops on Issues and Concerns in Early Education of EEN Children	June 2-4; 7-9; 9-11; 14-16; 1976	Concerns centered on certification of early childhood teachers, curriculum at preschool level, language development & urban resources	35 regular educators 105 special educators

Other Manpower and Teacher Preparation Activities

In the Supplemental Report No. 1, reference was made to the DHC's coordination of representatives of LEAs, institutions of higher education, and the SEA activities in implementing the *Plan for the Preparation, Recruitment, and Inservice Training of Personnel in Special Education,* per s. 115.77 (4) (f) Wis. Stats. This consortium of agencies is referred to as the Z Group. In 1975-76, a work group comprised of Z group members met to deal with completion of the 1975-76 plan which includes a manpower needs assessment and use of advisory personnel. A second work group was established to develop mechanisms for ongoing needs evaluation systems and to explore the possibility for the development of activities that cut across all training programs. The aim is to generate information to determine what kinds of personnel to prepare. These work group activities are continuing at write-up time. The USOE/BEH has recommended allocation of $10,000 of Title VI-D monies for FY 77 for use in funding continued Z group activities as a desirable OE/state goal. The tentative budget allocation for this activity is found in Appendix D.

State Planning and Rules Committee Activities

Concurrent with the abovementioned state agency's extensive public information and inservice activities, DHC staff were also involved in continuing activities relating to planning, policy making, and additional rules development.

Working committees formulated within the DPI for planning, resource paper development, and rules promulgation in 1975-76 included the following:

1) Public Education and Information

2) Manpower-Inservice-Teacher Preparation (The extensive work of these first two committees has already been considered in some detail.)

3) Expanded Definitions and Criteria for M-Team Determination of Exceptional Needs

4) Relationship to State/County Residential Institutions/Private Sector

5) Program/Pupil Reporting and Forms Revision-Accountability

The end products of working committees 3, 4, and 5 received considerable input from consumer representatives in the field, particularly from the 15-member Advisory Council on Special Education which met in extended sessions eight times during this period. Reaction and field input was also obtained to the proposed rules emanating from Committee 4 from representatives of management in the State Department of Health and Social Services and from school districts affected by these regulations.

This input and reaction to the various proposed rules necessitated an average of three committee rewrites. The DPI held official public hearings on these additional sets of rules in the summer of 1976 and anticipates their eventual acceptance and promulgation through the Revisor of Statutes office by January 1, 1977 (Appendices E, F, and G).

Progress in each committee will be briefly considered.

Expanded Definitions - Criteria for M-Team Determination of Exceptional Needs Committee

Subchapter IV, Chapter 115, Wis Stats. was created to provide services for children with those handicapping conditions defined in section 115.76 (3) (a) through (i), Wis. Stats. Children determined to have no exceptional educational needs (EEN) shall not be included within the parameters of the mandates of the law. Conditions described as special educational needs, resulting primarily from poverty, neglect, delinquency, or cultural or linguistic isolation from the community at large are not included. Also not included are those children who are simply inadequately served by the school system.

Because services are restricted to those children who have exceptional educational needs, a process to determine eligibility is being developed. A child must have a (1) *disability* in one or more areas-mental, physical, emotional, or learning. In addition, he/she must have (2) one or more *handicapping condition (s)* as listed in s. 115.76 (3) (a) through (i), Wis. Stats. These two conditions are still not enough. Regular education, even with modifications, must not be able to serve the child's needs, either in part or whole.

It is essential, therefore, to develop criteria for each step in the process for each area of handicap to insure that each child receiving special education services will be a child with

EEN. Specific observational and test based data will be required to ensure eligibility for special education services according to the criteria established.

This has been the major of this committee's efforts in 1975-76. In addition, clarification of the need for an individual educational plan (IEP), based on the M-team recommendations and observations of the receiving special educator, is being developed.

Relationships to State/County Residential Institutions/Private Sector Committee

Tentative rules covering the state educational agency's and local school district's "supervisory" relationships to state and county residential institutions under the aegis of the State Department of Health and Social Services were drafted in March of 1976. These rules related to the supervisory stipulations in Chapter 115 and more specifically to s. 115.77 (3) (d), 115.77 (4) (a) (b) (c), 115.78 (5), 115.80 (5), 115.85 (1) (c), and 115.85 (3) (e), Wis. Stats. Similar sets of tentative rules were developed to clarify public school agency relationships with the private sector, taking into account constitutional restrictions and recent supreme court, Attorney General's office, and SEA legal opinions. (These proposed rules are included as Appendices F and G.) Top management conferences with DHSS personnel were held in the spring of 1976 followed by interpretive workshops involving representatives of local school districts wherein the state and county residential institutions are physically located. Following consumer input and rules modification, the DPI held official public hearings in the summer of 1976 and followed this rule-making process with tentative rule promulgation by January 1, 1977.

A summary of all new proposed rules and regulations developed in 1975-76 is shown as Table 3. Copies of these proposed rules may be found in Appendices E through J.

Program/Pupil Reporting and Forms Revision - Accountability Committee

The major effort of this committee in 1975-76 was the revision and integration of each separate disability program's annual plan of service form into an integrated package. Integration of these disparate individual forms resulted in a 15% reduction of data items being requested annually from local school agencies. A 10% reduction had been the state superintendent's goal for the DPI. Further, the integrated package permits any state supervisor or auditor to perceive the local agency's total special education operation in one single format.

Local educational unit enrollment reports were also modified pursuant to federal and state reporting requirements. Form revision permitted minimal annual pupil progress reporting as required in s. 115.80 (4) and 115.85 (3), Wis. Stats. (Copies of the integrated plans of service format and a sample enrollment report are shown as Appendix K and L, respectively.)

Table 3 - Rules under development in 1976 - 77.

Documents		Tentative Date of Issuance	Current Status
PI 11.28	Non-complying Districts	January, 1977	Approved by Special Education Advisory Council
PI 11.29	Handicapped Children's Aide	January, 1977	Under review by legislative education committees
PI 11.30	Supervision of State and County Operated Residential Public Facilities	January, 1977	Under review by legislative education committees
PI 11.31	Relationships With Private Sector	January, 1977	Under review by legislative education committees
PI 11.32	Eligibility Criteria	January, 1977	Under review by legislative education committees
PI 11.33	Reimbursement	January, 1977	Under review by legislative education committees

Responding to a resolution of the Department's Forms Management Committee, the Bureau for Exceptional Children organized an ad hoc Advisory Task Force on Forms in the spring of 1976. The committee is comprised of district and CESA administrators, directors of special education, parents, and BEC staff. This ad hoc committee reviewed the integrated plan of service format and the revised enrollment reports with respect to Chapter 115 and PL 94-142 reporting and accountability requirements. Its first meeting was scheduled in April of 1976. Eventually the committee will advise the BEC on its recommendations regarding forms modification for FY 78 following field usage in 1975 through 1977.

The BEC's accountability committee also spent the spring months in minor revisions of the Needs Assessment Survey forms (School District Plan, Part A - Annual Report on Special Education Programs for the Handicapped for 1976-77). Since July 1, 1976 was the statutory target date for a full service goal in Wisconsin, this Needs Assessment Survey was modified to reflect only newly identified EEN children in the school district population requiring service in 1976-77. (The Needs Assessment Form is Appendix M.)

Direct Consultative Activities to LEAs in Expanding Services in 1975-76

Throughout school year 1975-76, the 11 field supervisors in the Bureau for Exceptional Children continued their direct consultative activities designed to assist local educational

Table 4 - 1975-76 summary of exceptional education services as of February 15, 1976 — Bureau for Exceptional Children, Wisconsin State Department of Public Instruction.

Total Number of Personnel, Programs and Children Served

Exceptional need area	Personnel Teachers	Aides	T/A Equival-ents[1]	Program Units 1974-75	1975-76	Gain	Ratio/ unit[2]		Children serviced (est.)
Mentally Retarded-Educable	1,332.8	204.5	1,373	1,268.5	1,284.3	15.8	12.2	per	15,373
Trainable	433	263.5	481	391	435.5	44.5	8.9	per	3,462
	(1,765.8)	(468)	(1,854)	(1,659.5)	(1,719.8)	(60.3)			(18,835)
Early Childhood (Generic)	109	71	122	11	109	98	11.5	per	1,264
Physical/Multiple Handicapped									
Physically Handicapped	20	22	28	27	20	-7	9.2	per	184
Multiple Handicapped	76	51	91	65	76	11	8.8	per	671 (855)
Hospitalized	5	-	4.3	4	5	1	120	per	519
PT/OT/Therapy Aides	81	46	78	42	81	39	25.1	per	406 (O.P.)
Homebound - Other	-	-	-	-	-	-	-	-	1,470 (2,683)
Homebound - School-Age Mothers	-	-	-	-	-	-	-	-	1,213
School-Age Mothers[5]	31	-	28	28	31	3	17.8	per	489
Deaf and Hearing Impaired									
Day School Services	139	52	145	128	138	10	6.4	per	886
WSD Residential Services	42	11	45.6	43	42	-1	5.5	per	223 (1,109)
Blind and Visually Impaired									
Day School Services	35	14	40	29	32	3	7.6	per	266 (417)
WSVH Residential Services	38	1	39	37	38	1	4.1	per	151
Emotionally Disturbed	407	80	426	298	410	112	9.7	per	3,950
Special Learning Disabilities	1,009	82	1,004	646	1,055	409	10.8	per	11,811
Speech and Language Impaired	863	16.9	808	772	863	91	45.7	per	39,496 (est.)
TOTALS	4,620.8	914.9[3]	4,712.9	3,789.5	4,619.8	830.3[6]	-		81,834 (est.)[7]
									(80% of 100,852 @ 10.7%)[8]
Directors/Supervisors of Special Education[4]	135	-	135	101	135	34	20	personnel	

[1]Teacher aides are computed on a 3:1 basis for personnel equivalency computations and for financial aids purposes. [2]Varying program types and levels in the least restrictive alternative model result in differing teacher/pupil ratios for itinerant, resource, self-contained, etc., services. These are overall average teacher/pupil ratios. The 45.7 for speech represents the average total numbers of pupils served through the year. [3]In 1974-75, 672.8 teacher aides were approved. In 1975-76 this figure is 914.9. [4]In addition, 135 Level A and B Directors and Supervisors are state aided. 101 were supported in 1974-75. [5]These represent programs/service centers. In addition, there are 1,213 school-age mothers on homebound services. Gain in 1972-73, 212; in 1973-74, 332; in 1974-75, 724.5; and in 1975-76, 830.3 [7]Gain over 1974-75, 9,135 (est.). [8]K-12 enrollment in 1975-76 is 964,219. DHC estimated 80% of estimated *incidence* of 100,852 served in 1975-76. In addition, 1,264 3-5 year olds served in early childhood-generic programs of estimated incidence of 10,240 @ 5% incidence. In addition, 91.1% of actually identified EEN's being served in 1975-76. Percent of estimated incidence served since Chapter 115 passed is: 52% in 1972-73; 61% in 1973-74; 68.5% in 1974-75; and 80% in 1975-76.

agencies in meeting the mandates of Chapter 115. Table 4 provides a summary of the state-sponsored and state-funded special education services in Wisconsin in 1975-76. In many instances, federal Title VI-B monies were utilized, in combination with state general purpose revenue, as "seed money" for start-up projects.

The reader will note the comparisons of program unit gains in 1975-76 over 1974-75 and previous years in the statistics cited below and in the columns headed "Program Units" and "Gain" in Table 4. The impact of state consultant efforts is suggested in this summary:

Year	Total New Programs
1971-72	210
1972-73	212
1973-74	332 (First year of Chapter 115)
1974-75	724.5 (Second year of Chapter 115)
1975-76	830.3 (Third year of Chapter 115)

The 4,619.8 total of program units shown in Column 5 of Table 4 serve a grand total of 81,834 pupils with exceptional educational needs. 80,570 of this number represent 80% of the estimated incidence of 100,852 exceptional pupils in the K-12 age range at an incidence estimate of 10.7%. This represents an 11.6% gain over the 68.4% provided services in 1974-76 or a total of 28% overall gain during the three years of Chapter 115's existence.

In addition, included in the above grand total are 1,264 preschool children in the 3 to 5 year age range being provided early childhood education services in 1975-76. This total represents 12.3% served of the estimated incidence of 10,240 EEN pupils (@5%) in the 3 to 5 year population (Table 6).

More striking than the statistics for the percent of estimated incidence provided service, is the 91.1% served of those 74,560 pupils *actually identified*, diagnosed, and later placed in special education programs in 1975-76 as reported in the Needs Assessment Survey completed by all 435 districts (Table 5) in the summer of 1975. A copy of

Table 5 - Projected special education programs as indicated in the 1975 - 76 Needs Assessment Survey.

Current Total District Population (3 + 4 Yr. Olds)	Current Public School Enrollment (5-18 Age Range)	Current Total District Population (19 + 20 Yr. Olds)
134,720	992,460	128,102

	A.	B.	C.	D.	E.					F.	G.	H.	Projected Unit District Operation*				
			Public Schools		Number of EEN Children In:								Based On:				
					1.	2.	3.	4.	5.				Column I.		Column J.		
Projected Incidence By Area of Handicap	Projected Number By Category Based On Public School Enrollment (5-18 Age Range)	Number Currently Identified Thru M-Team Process	Number Currently Served (Excluding Homebound)	Number Left To Be Served (B - C = D)	Homebound	Day Care	Subtotal (1 + 2 = 3)	Other/Private	Total (3 + 4 = 5)	Total (D + E3 = F) Number Of Additional EEN To Be Served For 1975-76	Number Currently Identified 3 and 4 Year Olds	Number Of Local District Operated* Units 1974-75	1. Total 1975-76 Units	2. Number of New Teachers	1. Total 1976-77 Units	2. Number of New Teachers	Total New Units Through 1975-77 (12 + J2)
1. EMR-Educable Mentally Retarded 2.00%	19,926	15,357	14,852	493	13	105	118	94	212	611	327	911	931	39	934	41	80
2. TMR-Trainable Mentally Retarded .30%	3,014	3,550	3,343	144	8	119	127	160	287	271	162	233	258	25	265	14	39
3. D-Deaf and Hard of Hearing .11%	1,108	1,221	1,146	70		7	7	80	87	77	81	126	127	2	134	8	10
4. VH-Visually Handicapped .06%	662	495	434	59		6	6	63	69	65	30	30	36	6	38	2	8
5. ED-Emotionally Disturbed 2.00%	19,926	4,246	3,236	873	172	46	218	516	734	1,091	47	256	374	131	546	184	315
6. LD-Learning Disabilities 2.00%	19,926	11,398	8,958	2,418	1	21	22	99	121	2,440	106	501	745	260	929	219	479
7. PH-Physically Handicapped .30%	2,996	1,369	593	81	702	44	746	37	783	827	64	65	66	5	71	11	16
8. MH-Physically/Multiply Handicapped .20%	2,008	739	653	51	20	26	46	42	88	97	138	51	62	13	68	11	24
9. SH-Speech/Language Handicapped 3.50%	35,238	33,009	32,424	479	16	43	59	136	195	538	625	574	618	57	655	52	109
10. P-Pregnancy (Girls CA; 12-20) 1.00%	4,720	1,596	1,038	82	486		486	1	487	568	-	72	71	9	72	4	13
TOTALS	109,524	72,980	66,677	4,750	1,418	417	1,835	1,228	3,063	6,585	1,580	2,819	3,288	547	3,712	546	1,093

* "District Operated" denotes school district submittal of an annual plan of service and school district direct receipt of the state special aids for the program.

this Needs Assessment Survey Form is included as Appendix M. Districts will be required to complete a similar form in the summer of 1976 for state monitoring and local planning purposes to insure attainment of the full service goal intended in Chapter 115. In addition to this quantitative data, all operating districts, counties, and CESAs will be required to submit a qualitative Narrative Plan ensuring compliance with Chapter 115 standards and PL 94-142 mandates in 1976-77. This Narrative Plan will specify the board's philosophy and objectives in special education and will describe in detail the various program elements operated by the local agency or used as a resource to insure a full range of educational alternatives. (A copy of the Narrative Plan format and criteria for use in state educational agency review of the plan is Appendix N.)

Table 6 suggests that Wisconsin is approaching 100% service of estimated incidence in the K-12 range for

Table 6 - Exceptional pupils served in 1975 - 76 as of February 15, 1976.

Disability Area	Incid.*	Est. Pupil Incidence	Children Served in 1975-76	% Served of Incidence	Identified in 1974-75	% Served of Identified EENs
Speech Impaired	3.5%	33,748	39,496	100%	33,009	100%
Special Learning Disabilities	2.0%	19,284	11,811	61.2%	11,398	100%
Mentally Retarded	2.3%	22,177	18,835	84.9%	18,907	99.6%
School-Age Mothers	1% (12-20)	4,720	1,702	36%	1,596	93.7%
Emotionally Disturbed	1.5%**	14,463	3,950	27.3%	4,246	93.0%
Hearing Impaired	.11%	1,061	1,109	100%	1,221	90.8%
Vision Impaired	.06%	578	417	72.1%	495	84.2%
Physically Impaired (Incl. Hospital/Homebound)	.50%	4,821	3,250	67.4%	4,503	72.2%
SUBTOTALS	10.7%	100,852	80,570	80%	72,980	90.6%
Early Childhood (3-5) (Generic)	5%	10,240***	1,264	12.3%	1,580	80%
TOTALS		111,092	81,834	73.7%	74,560	91.1%****

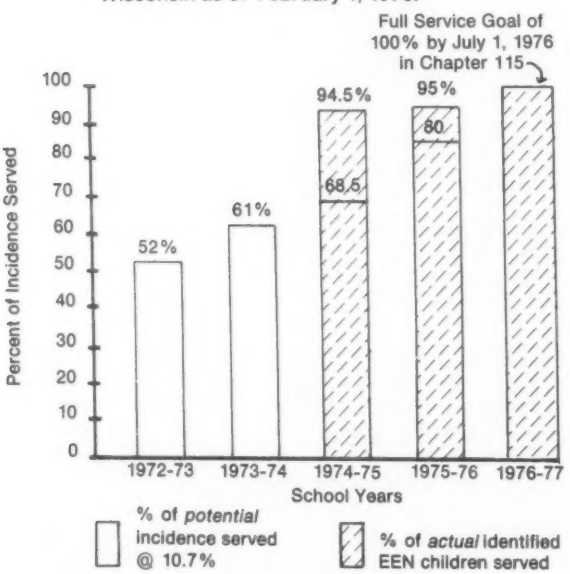
*K-12 public school population = 964,219.
**Prevalence estimate.
***Estimated incidence of EENs in 3 to 5 year census @ 5% = 10,240.
****91.1% of actually identified EENs including 3 to 5 year olds being served in 1975-76.

handicapped children in the following disability areas: speech and language, hearing impaired, and in the area of mental retardation.

The most significant program/service gains in Table 4 were in the areas of special learning disabilities (409), emotionally disturbed (112), early childhood (98), and the speech and language impaired.

It should be noted that 10,304 newly identified preschool and school-aged exceptional children were served in 1975-76 and that 4,621 special educators and 915 teachers aides were employed to provide appropriate special education programs. Continued and significant statewide progress was made in 1975-76 and reflects, in part, the consultative and professional supervisory efforts on the part of state staff.

Table 7 - Progress in Chapter 115 implementation: potential and actual numbers of EEN children served in Wisconsin as of February 1, 1976.



A word should be said regarding an operational definition of a *full-service goal* for EEN children in 1976-77. The state educational agency is defining a full-service goal as a local district's ability to accommodate or expedite service for 100% of its EEN population 3 to 21 years. However, in both 1974-75 and 1975-76 school years, only 95% and 91.1% those EEN children *actually identified* were placed in special education programs. Apparently, factors are operating outside of the control of the school district in the case of the remaining pupils identified as EEN. In most instances, these cases represent parental or guardian disinclination to accept the assessments of M-teams or the recommendations of school boards with respect to appropriate placements in special education programs/services. Unless remedial legislation is submitted covering this minority group, 95% would generally appear to be a realistic expectancy of local districts in meeting the full service goal mandate of Chapter 115 after July 1, 1976. This point is clarified in the accompanying graphs in Table 7.

In addition, an intensive child-search and find effort is needed statewide to reach the remaining 15% to 20% EENs not yet identified at the local district level. The Division for Handicapped Children in its leadership role is currently recruiting staff to aid local districts in this child-find thrust in 1976-77 utilizing federal resources under PL 94-142.

PART II. LOCAL EDUCATIONAL AGENCY ACTIVITIES

Section 115.85 (3), Wis. Stats. places responsibility upon each local school district to submit annually, on or before August 15, to the state educational agency, the school district plan for special education services and such other information as DPI requires. More specifically, s.115.85 (3) (a), Wis. Stats. requires the following:

> "The total number of children who reside in the district and who have been placed in special education programs under s. 115.85 (2), the exceptional educational needs of each such child and the school attended or special education received by each such child. The report shall also specify the

number of children with exceptional educational needs who are known to the school district and who are under the age of 3 years and the exceptional educational needs of each such child."

It is this information which enables the state educational agency to develop its own state plan including the projection of statewide needs for budgetary purposes and the number and geographic distribution of all children residing in the state who have EEN (s. 115.78 (1) (7), Wis. Stats.).

The DPI, in its initial report to the Federal Court, discussed its role in requiring all 435 school districts to complete the Needs Assessment Survey Questionnaire for planning purposes by July 19, 1974 (Appendix M). Initially, 94.2% (411 districts) returned this report to DPI leaving 25 districts in noncompliance. Further directions from the state superintendent's office resulted in full compliance by all 435 districts by November 1, 1974.

Responses in the summer of 1975 were even more positive and encouraging. 100% of the state's 435 districts had complied with this annual requirement by August 30, 1975. Growth patterns of program development as discussed in Tables 4 through 7 would suggest that local educational agencies are utilizing this child-find and census information in their implementation and long range planning efforts.

In discussing LEA projections for 1974-75, 1975-76, and 1976-77, the initial and supplemental report to the Federal Court indicated the following: (1) total program unit projections and actual total units developed each year; (2) *new* teacher projections and actual numbers of *new* teachers employed each year. For Supplemental Report No. 2, we have continued this contrast approach in order to assess the accuracy of LEA forecasts and statements of intent indicated in the Annual Needs Assessment Surveys.

School Year	Total Program Unit Projections	Actual Total	New Teacher Projections	Actual No. of New Teachers
1973-74	—	2,978	—	332
1974-75	3,330	3,737	903	851
1975-76	4,206	4,619.8	547	765
1976-77	4,630	(N.A.)	546	(N.A.)

For school year 1975-76, it will be noted that the actual number of total programs/services exceeded the districts' total unit projections by 413.5 units and that the total of 765 new special education teachers is 218 greater than the 547 personnel projected in the summary of 1975.

This needs assessment analysis was conducted again in the summer of 1976 to assist districts in their projections of immediate needs and implementation efforts for 1976-77. LEAs indicating unmet needs as expressed in their child-find statistics and in their lack of implementation efforts will be advised of their failure to comply with the target date mandate of July 1, 1976 in Chapter 115. These districts will be expected to show evidence of compliance either immediately or by the beginning of the second semester of 1976-77.

The above summation does suggest a continuing responsiveness by the majority of Wisconsin's 435 school districts to the mandates of Chapter 115. If the 4,630 new program units and 546 special educators anticipated for employment in 1976-77 actually materialize, chances for attainment of the full-service goal for all of the state's exceptional children looks promising. Goal attainment is also dependent upon the next legislature's continuing support of the state's categorical aid program for the local excess costs of providing special education services. Newly enacted PL 94-142 by the Congress also holds promise of additional stimulus and fiscal support to the state when the flow-thru monies to the local educational agencies begin in FY 78. A subsequent progress report will validate the accuracy of this contention.

PART III. STATE EDUCATIONAL AGENCY RESPONSE TO NONCOMPLIANCE ALLEGATION AND PROPOSED RULES FOR RESPONDING TO SIMILAR CHARGES

Section 115.89, Wis. Stats. relating to noncomplying school districts and remedies reads as follows:

(1) If, after a public hearing in the school district, the state superintendent finds that a school district has not provided programs for children with exceptional educational needs as required by s. 115.85 (1) and (2), he shall make findings to that effect, including a finding that the school district has denied equal educational opportunities to children with exceptional educational needs.

(2) After the state superintendent has found that a school district has denied equal educational opportunities to children with exceptional educational needs he may make recommendations to the school district to remedy the denial and may require the school district to submit a remedial plan incorporating such recommendations.

(3) If, after consultation with the school board, the state superintendent finds that the plan has not incorporated his recommendations, or that its implementation has been inadequate to remedy the denial of equal educational opportunities, he shall request the attorney general to proceed against the school district for injunctive or other appropriate relief.

In the spring of 1975, the state superintendent's office was faced with its first allegation by a Beloit citizens group charging the Beloit School Board with noncompliance, pursuant to s. 115.89, Wis. Stats. The Beloit Citizens for Better Education requested the state educational agency to investigate their situation and to hold a public hearing pursuant to s. 115.89 (1), Wis. Stats. Legal counsel in the state educational agency was immediately confronted with the issue of steps to be taken by the state superintendent and her staff prior to determining that an adversary type public hearing was required. The description of activities which follows depicts the steps taken by the state educational agency to resolve this issue. Experience with this first noncompliance allegation assisted the state educational

agency in its development of tentative rules for responding to similar charges after July 1, 1976. A copy of these proposed rules is included in this document as Appendix H. These rules were part of the new set of rules which received a public hearing in the summer of 1976.

In the Beloit case, a number of activities preceded the calling of a nonadversary type of public hearing which resolved this particular issue. Considerable news media attention was given to this situation and the resolution of this noncompliance charge received statewide attention.

In responding to the original allegation, staff in the department proceeded as follows:

1) Earlier Beloit site visit and team evaluation reports of December 29, 1969 and March 23, 1973 were reviewed to assess Beloit's progress in achievement of Chapter 115's mandates.

2) Beloit's current annual plans of service, plans for referral, and screening and multidisciplinary team processes were reviewed. This included the district's statement of the designated role and function of their director of special education.

3) Several BEC staff visited the Beloit Schools to review the alleged backlog of M-team referrals and the delay in processing referrals and placements.

4) The state superintendent, on advice of staff, legal counsel, and the Attorney General's representative, called a prehearing conference in Madison on June 26, 1975. Representatives of the Beloit school administration and school board, the Citizens for Better Education, the Department of Public Instruction, and the Attorney General's office were in attendance at this meeting.

5) As a result of this prehearing conference, the state superintendent ordered an immediate and long range plan for complying with the mandates of Chapter 115 to be developed by a board appointed ad hoc committee with consumer representation. This plan was due by August 22, 1975 in the state superintendent's office.

6) After several weeks of dispute concerning open or closed meetings of the ad hoc committee, the issue was resolved by the Attorney General's office ruling in favor of open meetings.

7) A representative of the BEC served as a resource consultant and technical assistant to the ad hoc committee which produced its report on August 22, 1975.

8) Department staff reviewed the Beloit ad hoc committee's immediate and long range plan. Subsequent to this action, the state superintendent conducted a nonadversary type of public hearing in Beloit on August 28, 1975. At the hearing, the state superintendent requested statements from both the Beloit school representatives and the Citizens for Better Education group as to the adequacy of the plan and their mutual acceptance. Unanimity and endorsement of their report as submitted was indicated.

9) The state superintendent then announced her acceptance of the plan as being appropriate to meeting her expectations of a local district in meeting Chapter 115 requirements. While no special steps were planned to monitor compliance with the actual plan, periodic reports would be requested from the district as a regular activity of the DPI's coordinative and monitoring function under this new legislation.

As indicated, the above procedures and steps taken to resolve this crisis situation established the precedent for evolving rules to be utilized with other school districts faced with noncompliance charges in the future. These proposed rules are included as Appendix H, PI 11.28 and they were disseminated in memo form to all school district administrators and board members on March 4, 1976 as shown in Appendix O.

This discussion has highlighted another approach the state educational agency utilized in 1975-76 to assure full compliance with Chapter 115.

Note: Copies of the Appendices A thru O referred to in the body of this report are available upon request from the Bureau for Exceptional Children, Wisconsin State Department of Public Instruction, Madison, Wisconsin 53702.

Indiana University Appoints Coordinator for the Handicapped

The Office of Coordinator for the Handicapped was recently established by the Office of the Vice President. The primary concern of this office is the general welfare of all handicapped persons on the Bloomington, Indiana campus. The function of the coordinator for the handicapped is to coordinate University efforts into a total and effective program successful in meeting the needs of each individual handicapped student.

In part, the coordinator's duties include answering all inquiries concerning handicapped student services, being of assistance to students and faculty in solving problems concerning the handicapped population, and expanding services.

At the present time, they are working with individual students who require special services to enter Indiana University in the fall, compiling a guidebook for the handicapped at I.U.-Bloomington, and, in general, organizing all the previous handicapped information and inquiries so that all problems can be centrally handled from that office.

For more information or questions concerning any problems, contact:

Mark Uslan, Coordinator
Hila Kennedy, Assistant Coordinator
Student Health Service-Administration
Phone: (812) 337-4011 (Health Center Information)
(812) 337-8782 (at the present time)

Work Production Pilot Study

James L. Swanson
TMH Program Coordinator
Olympia Brown School
Unified School District of Racine

In order to achieve the best utilization of the *Basic Life Functions Instructional Program Model* in the Racine program for the trainable mentally handicapped, two study groups were organized.

The first study group was a 16-week faculty workshop. The goals of the workshop were: (1) to study the most effective way to implement the program model within the administrative structure of the TMH program; (2) to write additional curricular items necessary in the vocational training areas of the program model; and (3) to develop a dual formalized reporting system-an in-house record system and a school-to-home reporting system. The TMH program is a structure that programmed the lower school (ages 3-12) into modified self contained/team teaching classrooms and the upper school (ages 13-21) into departmentalized classes wherein students moved to various teaching stations throughout their school day.

The second study group, working concurrent to the teacher workshop, was the Vocational Education Committee. This committee was directed by special education supervisor Donna Barootian, and assisted by James Swanson, TMH program coordinator; Roger Bonngard, secondary MH program support teacher; Kathy Geimer, work experience coordinator; and Douglas Robinson, SEIMC media teacher. This committee reviewed the philsosphy of the Racine Exceptional Education Department and felt comfortable about the development of a vocational training program within this framework. Following a careful review of all the curricular items in the program model plus the additional items being written by the faculty workshop, the Vocational Education Committee formulated a program model for a continuum of vocational training. The current program in vocational training had a staff of three teachers with plans approved for an immediate addition of one staff and an additional staff member proposed for the future.

The additional needed staff person that is projected for future need will not be a part of the concern of this paper. Without any intent to minimize the importance of this staffing need, economics necessitated a prioritization of how the program could best be expanded immediately. For future expansion, the home-living apartment center is seen as having to develop a second focus for programming. Rather than being limited, as it now is, to the teaching of living skills within a variety of home-living situations, this apartment center has potential for the development of teaching the vocational aspects of domestic and food service employment. It is this later aspect that will be further defined and implemented at a future date.

The Vocational Education Study Committee then proposed a model for a continuum of training for upper school students in work skills, work adjustment, and work production teaching stations. Briefly defined, the work skills teacher was given the responsibility to teach the curricular items pertaining to the development of the use of the tools of work. In terms of the state program model, this would encompass the developmental sequence teaching of such tools as a screw driver, a wrench, a sander, a garden rake, etc. This program would continue to devise teacher-made work jigs and practice activities through the supportive help of members of the Vocational Education Committee.

The work adjustment teacher, through the in-house individual achievement records, would devise a variety of work projects that would utilize the student's achievement level in specific food utilization skills to work in a group project situation. The focus of the teacher in this station would be upon the student's adjustment to work as evidenced by their ability to stay on task, to work cooperatively, to accept supervision, and to utilize work skills to the level of recorded achievement.

The demonstration pilot study was based upon these two teaching stations since this was what the program had in existence to work with at that time.

A third teaching station is planned by the Vocational Education Committee for implementation in the fall of 1976. The work production area is then to be set up as an assessment and training work station that will be modeled after sheltered workshop facilities available to the students within the greater school district community. In the planning of this teaching station, consultive services were provided by John Wesolek of the Vocational Development Center at the University of Wisconsin—Stout. A variety of commercial and Stout-made job samples were purchased under advisement and plans were begun to devise further work assessment/training job samples for the 18 - 21 year old students who would spend up to one half of their time in this area during the final years of school training.

The focus of the Vocational Development Center is upon assessment of work potential of the client, obtained in a 20-day period, followed by evaluative reports sent to vocational counselors/agencies. Since the Racine program had to combine the assessment aspects with continued work training, it was necessary to seek out a teacher who had the dual training with exceptional education certification to fill this important role. Unfortunately, this kind of degreed person was not found (although Stout University has now

begun a new dual certification program at the undergraduate level in vocational rehabilitation and exceptional education). The choice left then was to utilize further consultive services from the Vocational Development Center to help train a special education teacher in the skill and philosophy of job sample assessment tools and, with the guidance of the local committee, to develop additional work activities. The Vocational Development Center has requested further input from the Racine program as local job samples and norms are established in the coming year in order that the center at Stout can continue to develop further assessment techniques to be used with the moderately mentally handicapped young adults. This aspect of the program was implemented in September 1976.

With the teacher workshop completed, the committee was ready to present the pilot project to the vocational staff for critique and acceptance for implementation. It was agreed that the pilot study would run 4 weeks and focus on one group of nine students. The work skills teacher did a preassessment on each of these students to obtain his individual achievement level on the six developmental level scale used in the state program model. The specific tool skills necessary to implement the work adjustment group activity that had to be assessed were: linear measurement, sawing, sanding, hand drilling, gluing, hammering, and painting. The average achievement level for this group of students clustered around developmental level four. It was the specific goal of the work skills teacher to raise the achievement level for each student in the pilot study at least one developmental level in each of the specified tool skills. The immediate task for the teacher was to review the curriculum guide in terms of activities and materials suggested and to devise additional practice jigs where needed.

The teacher of the work adjustment program received the tabulated achievement levels on each student and a preplanned work activity to be used. The teacher was given any help needed in planning and setting up work stations to go into the production of toy wooden tug boats. A daily log form was devised on which to tabulate the level of performance, social behaviors, rate of production, time on task, reenforcers used, number of times student was corrected, percent of error in production, and a final performance retention assessment.

The students were randomly grouped into six work stations and rotated at specific times to a new work station until the student had worked at three stations. Then the students were rotated back to their initial station to see how many units of production it would take before the prior level of achievement was attained or surpassed. A final interview

Form 1 - Daily work log for work production pilot study, May, 1976.

Date _____ Student _____ Observer _____

_____

Description of task: _____

_____

Level of performance

Social behaviors
(physical mannerisms, response to correction, social interaction, level of distractability, etc.)

Time on task _____ Rate of production (units) _____

Number of times corrected _____ % of error in production _____

Reenforcers used _____

*Performance retention assessment _____

*The student, during the pilot study, will be taught three different tasks in the total production process. After the third skill has been taught and tested in production, the student will be rotated back to the first skill taught to measure *how many units of production* were needed to bring skill level back to previous performance level.

was held with each student to ask which task he/she enjoyed doing the most and to try to elicit a reason for this choice.

The completed toy boats were distributed to the early childhood classes and to the SEIMC toy check-out service for parent use with handicapped children at home.

Both the committee and teachers involved were happy with the experience and results of the pilot study. The study was a dramatic way to demonstrate to the entire staff how the activities of one teaching station can and must feed into the next developmental level of the student in another teaching station. The students were highly motivated to be in production of a useful product. The teachers directly involved learned a new way of collecting objective data and maintaining pertinent achievement records on individual students. It is anticipated that this model of instruction will be continued and that the objective data recorded on individual student achievement will be very helpful in the final assessment evaluation report done on the student before leaving the school's training program.

Legal Opinion on Enrollment Ranges vs. Contracts

The following legal opinion was issued by Max Ashwill, DPI Legal Counsel, on June 7, 1976 in response to a request from the State Superintendent's Council on Special Education.

Dear Drs. Blessing and Jones:

An answer to the following questions was requested in your memo of May 12: What legal principles should be observed in determining the relationship between locally negotiated contracts and Chapter 115 for its rules and regulations? Which has precedence?

I understand that a for example problem which you foresee happening is where the recommended minimum or maximum student enrollment in EEN special education programs as contained in the DPI regulations (Wis. Administrative Code PI 11.21 (1) (b) and (c)) would conflict with the enrollments provisions contained in the teachers contract or collective bargaining agreement.

Assuming that there is sufficient authority in ss (6) of s. 115.78, Wis. Stats., for the state superintendent to set enrollment minimums and maximums in providing standards for EEN programs, a district would be required to follow the DPI minimums and maximums for approved programs subject to the latitudes allowed in PI 11.21 (1) (b) and (c) of the Code.

Thus, in order to operate an approved special education program for EEN children, a district would have to follow Subchapter IV of Chapter 115 and the regulations promulgated in relationship thereto. The fact that the teachers and the district may have provided differently in their contract or collective bargaining agreement than the regulations would have no effect on the requirement that the district must follow the law in providing appropriate programs for its special EEN youngsters.

Class size (minimum and maximum enrollment as permitted by the PI Code) is considered a matter of basic educational policy and a permissive but not mandatory collective bargaining subject within the minimums and maximums prescribed by the code. While the WERC has held that the district has the right to unilaterally determine class size, the district has the duty to bargain the impact of class size as it affects hours, conditions of employment, and salaries (Beloit Joint School District No. 1 (11831-C)).

Thus, in summary, a school district must follow Subchapter IV of Chapter 115 and PI Code Section 11.21 (1) (b) and (c) in setting class size for special education programs to be approved by the Division for Handicapped Children.

I would be glad to discuss this matter if you desire more elaboration upon the subject.

Very truly yours,

Max C. Ashwill
Legal Counsel

New ED and LD Supervisors Join DHC

Two new program supervisors have recently joined the Division for Handicapped Children staff. Ann Kellogg will function as a program supervisor for the emotionally disturbed and Harold Schmidt as a supervisor for special learning disabilities.

Ann Marie Kellogg received her B.S. in psychology and emotionally disturbed education from St. Louis University and her M.S. in exceptional education from the University of Wisconsin-Milwaukee. She has taught all ages and levels of emotionally disturbed children. Among her responsibilities, she will be consulting with school districts in the following CESA's: 2, 4, 5, 6, 7, 8, 10, 12, 14, 16, and 18.

Harold D. Schmidt has a B.S. degree in education and an M.S. degree in behavioral disabilities from the University of Wisconsin-Madison. He completed his learning disabilities certification work at Cardinal Stritch College. After spending 3 years of military service in Germany, he returned to the U.S. and taught at Goodwill Industries of Milwaukee. He has also taught junior high learning disabled students. He will be consulting with school districts in the following CESA's: 2, 3, 5, 7, 9, 11, 12, 13, 16, and 17.

Transportation of Nonpublic School Children

Dr. Barbara Thompson
State Superintendent
Department of Public Instruction
126 Langdon Street
Madison, Wisconsin 53702

Dear Dr. Thompson:

In your letter of May 14, 1976, you indicate that the Wisconsin Department of Public Instruction is the state educational agency (SEA) responsible for the administration of the Elementary and Secondary Education Act of 1965 (ESEA) as most recently amended by PL 93-380. In your letter, you ask my opinion as to whether funds provided to the Department of Public Instruction pursuant to Title I of the ESEA may be used to transport children from parochial school to public school and back to parochial school. It is my opinion that such funds may be used as you have indicated.

Title I of the ESEA provides funds to the Department of Public Instruction which in turn approves plans of local school districts and provides these funds for their implementation. The purpose of these programs is to upgrade the education of economically and socially deprived children. Examples of programs administered by local educational agencies are remedial reading and mathematics designed to raise students' achievement to the appropriate grade levels based on their age. Grants are made by the Department of Public Instruction to local educational agencies. With respect to participation of children enrolled in private schools, s. 20 U.S.C.A. 241e-1 provides:

> "(a) To the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency shall make provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate ...."

These programs must be furnished to children attending private elementary and secondary schools on an "equitable" basis (see 20 U.S.C.A. 241e-1 (b) (2)).

In *Wheeler vs. Barrera* (1974), 417 U.S. 402, 41 L.Ed. 2d 159, the court held that any conflict between programs or expenditures of funds and state statutes and constitutions is a question of state, not federal, law. Thus, in the instant case, the question is whether federal ESEA funding of transportation of parochial school students from parochial school to public school and back is in conflict with the Wisconsin Constitution or with any Wisconsin statutes.

You have informed me that such transportation is necessary in some instances where dual enrollment programs are being provided. The term "dual enrollment" or "shared time" refers to enrollment of nonpublic school children in public schools for specific courses of study or activity.

Dual enrollment programs are provided in Wisconsin to avoid the prohibition in Art. I, s. 18 of the Wisconsin Constitution against teachers being paid with public funds for teaching in parochial schools. See 55 OAG 124 (1966). Dual enrollment itself is not prohibited by the Wisconsin Constitution. Id. at 132. In addition, Art. I, s. 23 of the Constitution removes any state constitutional prohibition against publicly funded transportation of children to and from parochial schools. Thus the Wisconsin Constitution does not prohibit use of federal funds to transport parochial school children in the manner you contemplate.

In your letter you referred to s. 121.54 (2) (b) and (c), Wis. Stats. These sections provide for transportation for parochial school children which is funded in part by the local public schools and to a larger extent by the Department of Public Instruction. However, there is no statutory requirement that children attending parochial schools may be provided transportation as a part of a federally funded program. In fact, insofar as Title I of the ESEA is concerned, using federal funds to supplant state funded programs is specifically forbidden by 45 C.F.R. 17 (h). Transportation of children as a part of a Title I dual enrollment program does not supplant the state transportation program. Rather, this supportive service makes supplementary educational programs available to parochial school children on a comparable as well as an equitable basis. *(Barrera vs. Wheeler* (1973), 417 U.S. 402, 475 F. 2d 1338, 1349, fn. 18.)

While, as noted above, there is no statutory provision that parochial school children may be provided transportation as part of a federally funded program, general authority is given to the state superintendent to receive and disperse federal funds by s. 115.28 (9), Wis. Stats. Since there is no statutory or constitutional prohibition in Wisconsin regarding transportation of parochial school children from parochial school to public school and return as a part of a federally funded dual enrollment program, it is my opinion that the funds may be used as indicated. (*Wheeler vs. Barrera* (1974), 417 U.S. 402, 419, 41 L.Ed. 2d 159.)

Sincerely yours,
Bronson C. La Follette
Attorney General

Caption: Funds made available through the Elementary and Secondary Education Act may be used in dual enrollment programs to transport children from parochial schools to public schools and return.

6300-3J70041-76

DIVISION FOR HANDICAPPED CHILDREN

Philip R. Jones, Ed.D., Administrator

BUREAU FOR EXCEPTIONAL CHILDREN
Kenneth R. Blessing, Ph.D., Director
Stephanie Petska, Administration Services Assistant

Developmental, Behavioral, and Learning Impaired Section
Victor J. Contrucci, Section Chief
Darnell Hanson, Administrative Assistant

James Despins, Program Supervisor, Mentally Retarded
Signe Frank, Socio-Education Specialist
Ann Kellogg, Program Supervisor, Emotionally Disturbed
Beverly Kochan, Program Supervisor, Emotionally Disturbed
Juanita Pawlisch, Program Supervisor, Special Learning Disabilities
Alverna Robinson, Program Supervisor, Mentally Retarded
Harold Schmidt, Program Supervisor, Special Learning Disabilities
Thomas Stockton, Program Supervisor, Mentally Retarded

Federal Support Programs Section
John Stadtmueller, Section Chief

William Berkan, Case Management, Wisconsin Resource Center (WRC)
Nancy Byfield, Coordinator, WRC
John Cook, Ph.D., Research and Evaluation Specialist
William Ernst, Ph.D., Director, Great Lakes Regional Resource Center (GLARRC)
Gary Holloway, Data Coordinator
Phyllis Hawthorne, Specialist, Forms Management Information, GLARRC
Patricia McMahan, Publications Editor
Kenneth McMahon, Instructional Media Specialist, Wisconsin Media Center
Linda Pauly, Project Associate, Title VI-B
Betty Ross-Thomson, Coordinator, GLARRC
Richard Trotta, Program Administrator, Title VI-D
Vacancy, Administrative Assistant, Deaf-Blind Project
Vacancy, Administrative Assistant, WRC

Physical, Sensory, and Language Impaired Section
Betty Rowe, Section Chief
Vacancy, Administrative Assistant

John Melcher, Program Supervisor, Early Childhood-Handicapped
Samuel D. Milesky, Program Supervisor, Deaf and Hard of Hearing
Andrew Papineau, Program Supervisor, Visually Handicapped
Kathleen Rueber, Social Worker
Susan Smith, Program Supervisor, School-Age Parent
Vernon Smith, Program Supervisor, Speech and Language

Residential Programs Section
Gary Blackmer, Coordinator, Rehabilitation Center, Wisconsin School for the Deaf, Delavan
William English, Superintendent, Wisconsin School for the Visually Handicapped, Janesville
Robert Okray, Principal, Wisconsin School for the Visually Handicapped, Janesville
John Shipman, Superintendent, Wisconsin School for the Deaf, Delavan
Vacancy, Principal, Wisconsin School for the Deaf, Delavan

BUREAU FOR CRIPPLED CHILDREN
Horace K. Tenney III, M.D., Medical Director

Elie Asleson, Medical Social Worker
Elizabeth Baehr, Administrative Field Worker
LaVerne Baker, Nursing Specialist
Louis Block, Administrative Assistant
C. Ernest Cooney, Prevention Specialist
Sara Critser, Nursing Specialist
Harold Donahue, Administrative Assistant, Records and Information
Effie Guethlein, Nursing Specialist
Caryl Hatfield, Nursing Specialist
Carolyn Hefty, Nursing Specialist
Marjorie Jothen, Nursing Specialist
Lois Latsch, Physical Therapy Specialist
Gertrude Leveille, Nursing Specialist
Irwin Probstein, Interagency Relations Specialist
Jeanne Schultz, Physical Therapy Specialist—Scoliosis
Gerard Simono, Medical Information Specialist
Laura Taff, Coordinator, Nursing Specialist
Raymond Wahlton, Clinical Audiologist
Orvin Walsvik, Clinical Audiologist
Clark Wright-Edwards, Clinical Audiologist
Vacancy, Nursing Specialist Assistant
Vacancy, Nursing Specialist, Cystic Fibrosis
Vacancy, Nursing Specialist, Northwest Area

BULK RATE
U.S. POSTAGE
PAID
MADISON, WIS.
PERMIT NO. 1369